

ACP - EEC CONVENTIONS OF LOME

COMPILATION OF TEXTS

- V -

1 January 1980 - 31 December 1980

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- ⁽²⁾ Notification of completion of the necessary procedures for the implementation of this Agreement was given in respect of Zimbabwe and the Community on 11.12.1980 and 18.12.1980 respectively. It came into force on 1.1.1981 and will so remain until the entry into force of the Agreement signed on the same date between the same partners and subject to ratification (not carried out at the date of publication of this Compilation). For Zimbabwe, see also Decision 6/80 of the ACP-EEC Council of Ministers, Council Regulations 3550/80, 3551/80 and Decision 80/1261/ECSC, pp. 17, 148, 149 and 150 respectively of this Compilation. See also OCT Comp., 1980.

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- (1) see pp. II and 21 of this Compilation.
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⁽¹⁾ Advance application of Protocol No 5 of Lomé II - see p. 115 of this Compilation.

⁽²⁾ See p. 123 of this Compilation.

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- (1) Measure taken pursuant to Decision 1/80 of the ACP-EEC Council of Ministers (see pp. 115 to 117 of this Compilation)
- (2) This Regulation was necessary to bridge the legal hiatus between the previous Regulation (215/79 for Kenya, 216/79 for Malawi) of 5.2.1979 in force until 31.12.1979 (see Comp. Vol. IV) and the above Regulation 551/80 (p. 190).

.../...

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I. ACP-EEC ACTS

1. ACTS OF THE COUNCIL OF MINISTERS

.../...

DECISION No 2/80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 7 FEBRUARY 1980

approving the accession of
St. Vincent and the Grenadines to
the ACP-EEC Convention of Lomé (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 89 thereof,

(*) See instrument of accession, p. 95 of this Compilation. For provisional application of the OCT Decision following independence, see ACP Comp. Vol. IV or OCT Comp. Vol. III. For financial Decisions, see ACP and OCT Comp., 1981.

Whereas a request for accession to the ACP-EEC Convention of Lomé was submitted by St. Vincent and the Grenadines on 26 November 1979;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas St. Vincent and the Grenadines became independent on 27 October 1979,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by St. Vincent and the Grenadines is hereby approved.

Article 2

This Decision shall enter into force on 31 January 1980.

Done at Brussels, 7 February 1980
For the ACP-EEC Council of Ministers
The President

(s.) A. RUFFINI

DECISION 3/80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 27 FEBRUARY 1980

derogating from the definition of the concept
of "originating products" to take account of the
special situation of Malawi
and Kenya with regard to
certain items of fishing tackle (fishing flies) (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on
28 February 1975 (hereinafter referred to as "the Convention"),
and in particular Article 9(2) thereof,

(*) See implementing Regulation and Regulation 551/80, pp. 194 and
190 respectively of this Compilation.

Whereas Article 27 of Protocol 1 of the Convention concerning the definition of the concept of "originating products" and methods of administrative co-operation, makes provision for derogations from the rules of origin in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request for a derogation from the definition set out in Protocol 1 for items of fishing tackle manufactured in Malawi and Kenya;

Whereas, in accordance with Article 27 of Protocol 1, the Customs Co-operation Committee has adopted a report on this request;

Whereas the possibilities offered by the cumulation system on origin do not provide a solution to the origin problem for items of fishing tackle manufactured in Malawi and Kenya;

Whereas a further derogation for two years has been requested by the ACP States for Malawi and Kenya;

Whereas this Convention expires on 29 February 1980 and it is consequently necessary to limit the period of validity of this Decision so that it does not extend beyond that date;

Whereas any possible deflection of trade should be avoided; whereas this can be achieved by fixing a maximum percentage of non-originating products incorporated in the finished product,

HAS DECIDED AS FOLLOWS:

.../...

Article 1

By way of derogation from the provisions of Protocol 1, items of fishing tackle manufactured in Malawi and Kenya falling within tariff heading No ex 97.07, "fishing flies", shall be considered as originating in Malawi and Kenya provided that the value of the non-originating fish-hooks used for their manufacture, falling within tariff heading No ex 97.07 does not exceed 25% of the value of the finished product.

Article 2

The competent authorities of the Republic of Malawi and the Republic of Kenya shall forward to the Commission every quarter a statement of the quantities in respect of which movement certificates EUR. 1 have been issued pursuant to this Decision, indicating the Member States of destination.

Article 3

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

.../...

Article 4

This Decision shall enter into force on 1 January 1980.

It shall apply until 29 February 1980.

Done at Brussels, 27. II. 1980
For the ACP-EEC Council
of Ministers
The President
(s.) A. RUFFINI

.../...

DECISION No 4 /80 OF THE ACP-EEC COUNCIL OF MINISTERS

OF 9 MAY 1980

on raising the ceiling
for the financing of microprojects

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on
28 February 1975, hereinafter referred to as the "Convention",
and in particular Article 14(2) of Protocol No 2 annexed thereto,

.../...

Whereas in pursuance of the said Article the ACP-EEC Council of Ministers must, at the end of the second year after the entry into force of the Convention, decide on the follow-up to the experiment of financing microprojects;

Whereas a number of ACP States have indicated their intention to amend their indicative programmes to allow for the possibility of financing projects;

Whereas, therefore, the ceiling of 20 million European Units of Account laid down in Article 14(1) of Protocol No 2 is not sufficient to cover all the actions envisaged in this sector and whereas an additional amount of 5 million European Units of Account is necessary,

HAS DECIDED AS FOLLOWS:

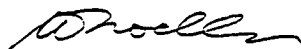
Sole Article

The ceiling laid down in Article 14(1) of Protocol No 2 annexed to the Convention is hereby raised from 20 million European Units of Account to 25 million European Units of Account to cover commitments relating to the financing of microprojects.

.../...

Udfærdiget i Nairobi, den
Geschehen zu Nairobi am
Done at Nairobi on
Fait a Nairobi, le
Fatto a Nairobi, il
Gedaan te Nairobi op

9. V 1980



På AVS/~~EEF~~-Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Il Presidente
De Voorzitter

Noel LEVI

.../...

DECISION No 5 /80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 9 MAY 1980

amending the list of
least developed ACP States (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter referred to as the "Convention", and in particular Article 48(2) and (3) thereof,

Having regard to Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on the transitional measures to apply from 1 March 1980,

Whereas Saint Lucia acceded to the Convention on 28 June 1979 and the Republic of Kiribati on 30 October 1979; whereas these States are in a situation comparable to that of the ACP States listed in Article 48(2) of the Convention and should therefore be added to the list set out therein,

(*) For Instruments of Accession and Decision on provisional application of OCT Decision following independence, see ACP Comp., Vol. IV.

.../...

HAS DECIDED AS FOLLOWS:

Article 1

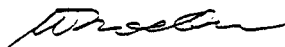
Saint Lucia and the Republic of Kiribati are hereby added with effect from the date of their accession to the Convention to the list of ACP States in Article 48(2) of that Convention.

Article 2

The ACP States, the Member States and the Community shall, each to the extent to which it is concerned, take the necessary steps to implement this Decision.

.../...

Udfærdiget i Nairobi, den
Geschehen zu Nairobi am
Done at Nairobi on
Fait à Nairobi, le
Fatto a Nairobi, il
Gedaan ta Nairobi op



På AVS/EØF-Ministerradets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Il Presidente
De Voorzitter

NOEL LEVI

DECISION No 6/80
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 9 MAY 1980

approving the request by the
Republic of Zimbabwe to accede to the second
ACP-EEC Convention signed at Lomé on 31 October 1979 (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter referred to as the "first ACP-EEC Convention", and in particular the third paragraph of Article 91 thereof,

Having regard to Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on the transitional measures to be applied from 1 March 1980, and in particular Article 1(e) and (f) thereof,

Having regard to the second ACP-EEC Convention signed in Lomé on 31 October 1979, hereinafter referred to as the "second ACP-EEC Convention", and in particular Article 186 thereof,

(*) See also pp. 93, 148, 149 and 150 of this Compilation.

Whereas the Republic of Zimbabwe has submitted a request for accession to the second ACP-EEC Convention and whereas that request should be rapidly acceded to;

Whereas the said Article 186 stipulates that any such request shall require approval by the Council of Ministers ... and whereas the State concerned may thereafter accede to the second ACP-EEC Convention by concluding an agreement with the European Economic Community, but whereas the said Convention has not yet entered into force;

Whereas pending its entry into force the Republic of Zimbabwe and the Community should be put in a position to negotiate an accession agreement to the second ACP-EEC Convention;

Whereas, under the third paragraph of Article 91 of the first ACP-EEC Convention, the Council of Ministers has the power necessary to adopt any transitional measures that may be required until the second ACP-EEC Convention enters into force and whereas the request by the Republic of Zimbabwe to accede should be approved during this transitional period,

.../...

HAS DECIDED AS FOLLOWS:

Article 1

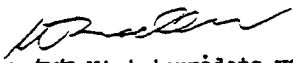
The request for accession to the second ACP-EEC Convention signed on 31 October 1979 submitted by the Republic of Zimbabwe is hereby approved. That State may accede to the Convention after its entry into force by concluding an agreement with the European Economic Community.

Article 2

This Decision shall enter into force on 9 May 1980.

Udfærdiget i Nairobi, den
Geschehen zu Nairobi am
Done at Nairobi on
Fait a Nairobi, le
Fatto a Nairobi, il
Gedaan te Nairobi op

9. V. 1980


Pa AVS/EGF-Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Il Presidente
De Voorzitter

Noel LEVI

.../...

DECISION No 7/80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 9 MAY 1980

on Article 18(5) of the
ACP-EEC Convention of Lomé
signed on 28 February 1975 (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, (hereinafter referred to as the "Convention"), and in particular Article 18(5) thereof,

(*) This Decision ensures the transition between the two Conventions in the matter of the allocation of the Stabex remaining balance. Concerning Stabex, see also pp. 25 and 197 of this Compilation.

Whereas, in accordance with Article 4(2) of Decision No 1/80 of the ACP-EEC Council of Ministers on transitional measures to be applied from 1 March 1980, a decision concerning Article 18(5) of the Convention may be taken even after the expiry of that Convention;

Whereas, at the moment this decision must be adopted, the amounts referred to in Article 18(5) of the Convention cannot be known,

HAS DECIDED AS FOLLOWS:

Article 1

If, after termination of operations relating to the final year of application of the system of stabilization of export earnings set up by the Convention, there is a remaining balance from the total amount mentioned in Article 18(1) of the said Convention, this remaining balance shall be assigned to the first annual instalment of the fund laid down by the system of stabilization of export earnings of the second ACP-EEC Convention.

Article 2

If, during the period mentioned in Article 21(2) of the Convention, payments are made by ACP States in replenishment of the resources made available to the system by the Community, the amounts thus repaid shall be added to the amount referred to in Article 31 of the second ACP-EEC Convention signed at Lomé on 31 October 1979.

.../...

Article 3

This Decision shall enter into force on 9 May 1980.

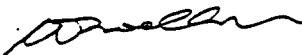
Article 4

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned to take the measures necessary to implement this Decision.

.../...

Udfærdiget i Nairobi, den
Geschehen zu Nairobi am
Done at Nairobi on
Fait a Nairobi, le
Fatto a Nairobi, il
Gedaan te Nairobi op

9. V. 1980



På AVS/EØF-Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Il presidente
De Voorzitter

.../...

DECISION No 8 /80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 9 MAY 1980

adding sesame seed
to the list set out in Article 17(1)
of the ACP-EEC Convention of Lomé
signed on 28 February 1975 (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 17(3) thereof,

Having regard to Decision No 1/80 of the ACP-EEC Council of
Ministers on transitional measures to be applied from
1 March 1980, and in particular Article 1(1)(b) thereof,

(*) Concerning Stabex, see also pp. 21 and 197 of this Compilation.

Whereas the twelve-month period provided for in Article 17(3) of the Convention has elapsed and whereas the other conditions laid down in that paragraph exist as regards sesame seed; whereas, therefore, in accordance with the draft Decision of the ACP-EEC Committee of Ambassadors of 7 March 1979, this product should be added to the list set out in Article 17(1),

HAS DECIDED AS FOLLOWS:

Article 1

Sesame seed shall be included in the list set out in Article 17(1) of the Convention.

Article 2

The ACP States, the Member States and the Community shall be bound, for their part, to take the measures necessary to implement this Decision.

Article 3

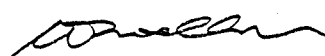
This Decision shall enter into force on 9.5.1980.

It shall apply to exports of the product referred to in Article 1 as from 1.1.1978.

.../...

Udfærdiget i Nairobi, den
Geschehen zu Nairobi am
Done at Nairobi on
Fait a Nairobi, le
Fatto a Nairobi, il
Gedaan te Nairobi op

9. V. 1980


På AVS/EØF-Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Il Presidente
De Voorzitter

Noel LEVI

.../...

DECISION No 9/80
OF THE ACP-EEC COUNCIL OF MINISTERS
of 9 May 1980
delegating to the
ACP-EEC Committee of Ambassadors
the authority to adopt the report
from the ACP-EEC Council of Ministers
(1976-1980)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter referred to as the "Convention", and in particular Article 75 thereof,

Having regard to Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on transitional measures to be applied from 1 March 1980, and in particular Article 1(1)(e) thereof,

Whereas, under Article 74(5) of the Convention, the Council of Ministers publishes an annual report and whereas under Article 80(4) of the same Convention the Council of Ministers submits each year a report on its activities to the Consultative Assembly; whereas it has seemed advisable that the final report to be submitted under the Convention should include an analysis of ACP-EEC co-operation and a study of its prospects,

Whereas authority should be delegated to the Committee of Ambassadors to adopt the report from the ACP-EEC Council of Ministers (1976-1980),

.../...

HAS DECIDED AS FOLLOWS:

Article 1

The Council of Ministers hereby delegates to the Committee of Ambassadors the authority to adopt, in accordance with Article 80(4) of the Convention, the report from the ACP-EEC Council of Ministers (1976-1980) to the Consultative Assembly and to decide on its publication as an annual report in accordance with Article 74(5) of the Convention.

Article 2

This Decision shall enter into force on 9 May 1980.

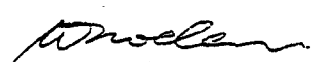
Article 3

The Member States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take all necessary steps to implement this Decision.

.../...

Udfærdiget i Nairobi, den
Geschehen zu Nairobi am
Done at Nairobi on
Fait a Nairobi, le
Fatto a Nairobi, il
Gedaan te Nairobi op

L 9. V. 1920


På AVS/EDF-Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Il Presidente
De Voorzitter

Noel LEVI

.../...

DECISION No 1/81 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 10 DECEMBER 1980

approving the request by the
Republic of Vanuatu to
accede to the second ACP-EEC Convention,
signed at Lomé on 31 October 1979 (*)

THE ACP-EEC COUNCIL OF MINISTERS,

(*) Although numbered 1/81, this Decision is included in this
Compilation because it was signed on 10.12.1980 and came into
force on that date.

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter called the "first ACP-EEC Convention", and in particular the third paragraph of Article 91 thereof,

Having regard to Decision No 10/79 of the ACP-EEC Council of Ministers of 31 October 1979 delegating powers to the ACP-EEC Committee of Ambassadors in connection with the adoption of transitional measures on the expiry of the first ACP-EEC Convention,

Having regard to Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on the transitional measures to be applied from 1 March 1980, and in particular Article 1(e) and (f) thereof,

Having regard to the second ACP-EEC Convention signed in Lomé on 31 October 1979, hereinafter called the "second ACP-EEC Convention", and in particular Article 185 thereof,

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community refer to the Anglo-French Condominium of the New Hebrides;

Whereas this country became independent on 30 July 1980 as the Republic of Vanuatu;

Whereas the Republic of Vanuatu has submitted a request for accession to the second ACP-EEC Convention and whereas that request should be rapidly acceded to;

.../...

Whereas the said Article 185 stipulates that any such request shall require approval by the ACP-EEC Council of Ministers and that the State concerned shall accede to the second ACP-EEC Convention by depositing an instrument of accession with the Secretariat of the Council of the European Communities; but whereas the said Convention has not yet entered into force;

Whereas, under the third paragraph of Article 91 of the first ACP-EEC Convention, the Council of Ministers has the power necessary to adopt any transitional measures that may be required until the second ACP-EEC Convention enters into force and whereas the request by the Republic of Vanuatu to accede should be approved during this transitional period,

HAS DECIDED AS FOLLOWS:

Article 1

The request submitted by the Republic of Vanuatu for accession to the second ACP-EEC Convention is hereby approved.

That State may accede to the Convention after its entry into force by depositing an instrument of accession with the Secretariat of the Council of the European Communities.

Article 2

This Decision shall enter into force on 10 December 1980.

.../...

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addi
Gedaan te Brussel,

10. XII. 1980

På AVS-~~EF~~ Ministerradets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Il Presidente
De Voorzitter

C. FLESCH

.../...

RESOLUTION

of the ACP-EEC Council of Ministers
on financial and technical co-operation

THE ACP-EEC COUNCIL OF MINISTERS, meeting in Nairobi on 8 and 9 May 1980,

1. HAVING EXAMINED the joint report of ACP-EEC Experts on the management of financial and technical co-operation in the context of the application of the Convention of Lomé I;
2. HAVING NOTED the difficulties which the partners, in particular the ACP States, have encountered in the implementation of financial and technical co-operation in the context of the Convention of Lomé I;
3. CONSIDERING concerted action to be a basic principle of financial and technical co-operation;
4. TAKES NOTE of the conclusions of the Working Party of Experts, reached after detailed proceedings and discussions;

.../...

5. CALLS UPON all the parties concerned to take greater account of the recommendations of those Experts in the further implementation of financial and technical co-operation;

6. INSISTS in particular on the need urgently to appraise the Commission's report on the management of financial and technical co-operation for 1979;

7. MANDATES THE ACP-EEC Committee of Ambassadors

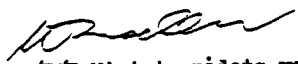
- to propose urgently to the ACP-EEC Council all necessary measures for setting up the ACP-EEC Committee provided for in Article 108 of the second Lomé Convention in order that the said Committee is rendered fully operational when the Convention comes into force;
- to convene the first meeting of this Committee as soon as the Convention comes into force to examine all necessary measures for effective implementation of the general and specific provisions laid down in the second Lomé Convention in favour of the least-developed, landlocked and island ACP States and to ensure that practical measures are taken to solve the problems of these countries;
- to ensure that the ACP States concerned are really involved in all stages of the implementation of regional co-operation;

.../...

- to encourage the ACP States to take all necessary measures for ensuring that local staff are trained in order to rapidly reduce dependence on technical assistance;
- to use all appropriate means for:
 - = reducing the cost of technical assistance without jeopardizing its quality;
 - = ensuring that special attention be paid to the terms of reference given to consultants in order to promote the maximum use of relevant technology and to put the human and material resources of the ACP States to good effect.


Udfærdiget i Nairobi, den
Geschehen zu Nairobi am
Done at Nairobi on
Fait a Nairobi, le
Fatto a Nairobi, il
Gedaan te Nairobi op

9. V. 1980



Pa AVS/EGF-Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Il Presidente
De Voorzitter



Noel LEVI

.../...

RESOLUTION

of the ACP-EEC Council of Ministers
concerning investments in public health
and public drinking-water supplies

The ACP-EEC Council of Ministers takes note of the sectoral "basic principles" which emerge from the Commission's evaluation and which take account of the experience of the relevant experts from the ACP States and the Community Member States in the fields of investment in public health and public drinking-water supplies.


It strongly recommends the responsible departments of the partners in financial and technical co-operation to take these basic principles into account in the planning, appraisal, implementation, management and evaluation of new projects to be financed by the Community in these two sectors.

It hereby instructs the ACP-EEC Committee of Ambassadors to report to it by the end of 1982 on the application of these basic principles.

.../...

Uáfardiget i Nairobi, den
Geschehen zu Nairobi am
Done at Nairobi on
Fait a Nairobi, le
Fatto a Nairobi, il
Gedaan te Nairobi op

9. V. 1980


Pa AVS/EØF-Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Il Presidente
De Voorzitter

Noel LEVI

.../...

I. ACP-EEC ACTS

2. AGREEMENTS BETWEEN THE EEC AND THE ACP

.../...

AGREEMENT

in the form of an exchange of letters
between the European Economic Community and
BARBADOS, the People's Republic of the CONGO,
FIJI, the Co-operative Republic of GUYANA, JAMAICA,
the Republic of KENYA, the Democratic Republic of MADAGASCAR,
the Republic of MALAWI, MAURITIUS, the Republic of SURINAME,
the Kingdom of SWAZILAND, the United Republic of TANZANIA,
TRINIDAD AND TOBAGO and the Republic of UGANDA,
on the guaranteed prices, for cane sugar
for 1980/1981 ⁽¹⁾(2)

Brussels, 17 December 1980

Sirs,

1. The representatives of the ACP States referred to in Protocol No 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, of the Republic of Suriname, and of the Commission, on behalf of the European Economic Community, have agreed within the framework of the negotiations provided for in Article 5(4) of the said Protocol, on the following:

- for the period 1 July 1979 to 30 June 1980 the guaranteed prices referred to in Article 5(4) of the Protocol shall, for the purpose of intervention within the terms of Article 6 of the Protocol, be:

- (a) for raw sugar, 34.13 ECU per 100 kilograms;
- (b) for white sugar, 42.30 ECU per 100 kilograms.

These prices, which represent an increase of 1.5% over those of the preceding year, shall refer to sugar of standard quality as defined in Community legislation, unpacked, c.i.f. European ports of the Community.

2. It is noted by the parties to the agreement that, having regard to market conditions generally and to other relevant factors and following discussions with the importers, the ACP States concerned strongly hoped that it would be possible to secure, in addition to the agreed guaranteed prices, a premium on Community markets during the delivery period 1979/1980.

⁽¹⁾ This Agreement was published in OJ No L 332/80.
⁽²⁾ See Council Regulation No 3185/80, 4 December 1980, p. 203
of this Compilation.

3. Although retroactivity is not provided for in respect of the 1979/1980 prices, it is agreed that this year's decision does not prejudice the position of the ACP States in relation to retroactivity in any future negotiation in accordance with Article 4(3) of Protocol No 3 annexed to the ACP-EEC Convention of Lomé.
4. It was noted that the Council of Ministers of the Community had not authorized the inclusion of any factor in respect of freight charges in the determination of the guaranteed prices for the delivery period 1979/1980. The ACP States reiterated their concern at the burden of these charges and requested that the subject should remain open for further consideration. The Community took note of this request.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community.

.../...

Modtag, ærede herrer, forsikringen om min mest udmærkede
højagtelse.

Genehmigen Sie, sehr geehrte Herren, den Ausdruck meiner
ausgezeichnetsten Hochachtung.

Please, accept, Sirs, the assurance of my highest
consideration.

Je vous prie d'agréer, Messieurs, l'assurance de ma plus
haute considération.

Vogliate gradire, Signori, i sensi della mia più alta
considerazione.

Ik verzoek U, Mijne Heren, de verzekering van mijn
bijzonders hoogachting te willen aanvaarden.

For Rådet for De europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Voor de Raad der Europese Gemeenschappen

D. F. Williams

Brussels, 17 December 1980

Sir,

I have the honour to acknowledge receipt of your letter of today which reads as follows:

"1. The representatives of the ACP States referred to in Protocol No 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, of the Republic of Suriname, and of the Commission, on behalf of the European Economic Community, have agreed within the framework of the negotiations provided for in Article 5(4) of the said Protocol, on the following:

- for the period 1 July 1979 to 30 June 1980 the guaranteed prices referred to in Article 5(4) of the Protocol shall, for the purpose of intervention within the terms of Article 6 of the Protocol, be:

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These prices, which represent an increase of 1.5% over those of the preceding year, shall refer to sugar of standard quality as defined in Community legislation, unpacked, c.i.f. European ports of the Community.

2. It is noted by the parties to the agreement that, having regard to market conditions generally and to other relevant factors and following discussions with the importers, the ACP States concerned strongly hoped that it would be possible to secure, in addition to the agreed guaranteed prices, a premium on Community markets during the delivery period 1979/1980.

.../...

3. Although retroactivity is not provided for in respect of the 1979/1980 prices, it is agreed that this year's decision does not prejudice the position of the ACP States in relation to retroactivity in any future negotiation in accordance with Article 4(3) of Protocol No 3 annexed to the ACP-EEC Convention of Lomé.
4. It was noted that the Council of Ministers of the Community had not authorized the inclusion of any factor in respect of freight charges in the determination of the guaranteed prices for the delivery period 1979/1980. The ACP States reiterated their concern at the burden of these charges and requested that the subject should remain open for further consideration. The Community took note of this request.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community."

I have the honour to confirm the agreement of the Governments of the ACP States referred to in this letter with the foregoing.

.../...

Please accept, Sir, the assurance of my highest consideration.

Medtag, hr. Formand, forsikringen om min mest udmærkede
højagtelse.

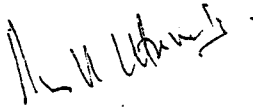
Genehmigen Sie, Herr Präsident, den Ausdruck meiner
ausgezeichneten Hochachtung.

Veillez agréer, Monsieur le Président, l'assurance de ma plus
haute considération.

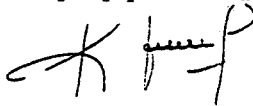
Voglia gradire, Signor Presidente, i sensi della mia piu alta
considerazione.

Gelieve, Mijnheer de Voorzitter, de verzekering van mijn
bijzondere hoogachting te aanvaarden.

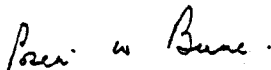
For the Government of Barbados



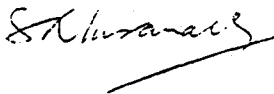
Pour le Gouvernement de la République populaire du Congo



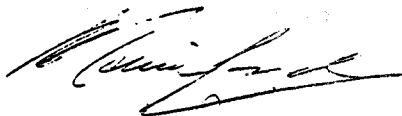
For the Government of Fiji



For the Government of the Co-operative Republic of Guyana



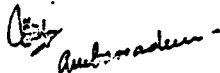
For the Government of Jamaica



For the Government of the Republic of Kenya



Pour le Gouvernement de la République démocratique de Madagascar



For the Government of the Republic of Malawi



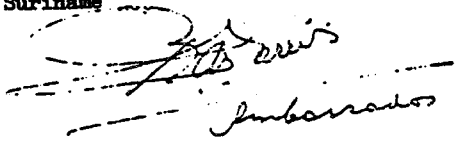
Pour le Gouvernement de l'Ile Maurice



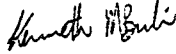
For the Government of the Republic of Uganda



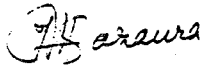
Namens de Regering van de Republiek Suriname



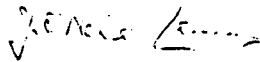
For the Government of the Kingdom of Swaziland



For the Government of the United Republic of Tanzania



For the Government of Trinidad and Tobago



.../...

I. ACP-EEC ACTS

3. ACTS OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION

.../...

DECISION No 1/80/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 20 FEBRUARY 1980

giving a discharge to the Director of the Centre
for Industrial Development in respect of
the implementation of the Centre's budget
for the financial year 1978

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in
particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of
Ministers of 14 July 1976 laying down the statutes and rules
of operation of the Centre for Industrial Development, as
amended by Decision No 7/77, and in particular Article 6
thereof,

Having regard to Decision No 3/77/CIC of the Committee on
Industrial Co-operation of 15 February 1977 adopting the
Financial Regulation of the ACP-EEC Centre for Industrial
Development, and in particular Article 20 thereof,

.../...

Having regard to the balance sheet for the financial years 1977/1978 drawn up at 31 December 1978,

Having regard to the Auditors' Report on the accounts for the financial year 1978,

Having noted the replies given by the Director to the comments made by the Auditors, and the willingness expressed by him to ensure a full application of the provisions of the financial regulation,

Referring also to the comments of the Committee accompanying the Decision giving a discharge for the financial year 1977 (Decision No 4/79/CIC of 13 November 1979);

Whereas it is for the Committee to give a discharge to the Director in respect of the implementation of the Centre's budget;

Whereas revenue for the financial year 1978 consisted of a contribution from the European Development Fund, together with a sum from the tax on the salaries and emoluments paid by the Centre and other resources;

Whereas the Director's overall implementation of the Centre's budget during the financial year 1978 was such that he should be given a discharge in respect of the implementation of that budget,

HAS DECIDED AS FOLLOWS:

Article 1

The Committee on Industrial Co-operation shall adopt the balance sheet of the Centre for Industrial Development as at 31 December 1978, showing the amount of 2,777,612.91 European units of account both for revenue and expenditure.

.../...

Article 2

The Committee shall express itself on the comments contained in the Auditors' Report on the accounts for the financial year 1978, as indicated in the Annex.

Article 3

The Committee shall give a discharge to the Director of the Centre in respect of the implementation of the Centre's Budget for the financial year 1978.

Done at Brussels, 20 February 1980
For the Committee on Industrial Co-operation
The Chairman

(s.) F. FABBRI

.../...

Comments of the Committee
accompanying the Decision
giving a discharge in respect of the budget
of the Centre for Industrial Development
(financial year 1978)

The Committee again asks the Director to ensure that the rules applicable to the accounts of the Centre are correctly applied and considers that to this end the Director should in particular:

- ensure that the terms of the contracts concluded by the Centre with external bodies ("Olympic circles" responsible for external missions, training programmes etc.) are more precise, with particular reference to the definition of tasks and the corresponding conditions of payment;
 - strictly apply the rule concerning the separation of the functions of authorizing officer and accounting officer;
 - ensure that the carry-over of uncommitted appropriations from one financial year to the next is limited as far as possible.
-

.../...

DECISION No 2/80/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 30 MAY 1980

giving final approval to the budget of the
Centre for Industrial Development
for the financial year 1980

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, and in particular Article 6(1), (2) and (3) thereof,

Having regard to Decision No 3/77/CIC of the ACP-EEC Committee on Industrial Co-operation of 15 February 1977 laying down the Financial Regulation of the Centre for Industrial Development, hereinafter called the "Centre",

Having regard to Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on transitional measures to be applied from 1 March 1980,

.../...

Whereas the ACP-EEC Committee on Industrial Co-operation, to which a preliminary draft budget was submitted by the Director of the Centre together with the opinion of the Advisory Council on that preliminary draft, has drawn up a draft budget;

Whereas the Community procedures in force have been implemented as regards the contribution requested from the European Development Fund; whereas the Commission of the European Communities has adopted the corresponding financing decisions covering an amount of 2,286,290 European units of account,

HAS DECIDED AS FOLLOWS:

Sole Article

The budget of the Centre for the financial year 1980 as it appears in the Annex hereto is hereby finally approved.

Done at Brussels, 30 May 1980
For the ACP-EEC Committee
on Industrial Co-operation
The Chairman

(s.) Chief P. AFOLABI

B U D G E T
O F T H E C E N T R E
F O R I N D U S T R I A L D E V E L O P M E N T
(1 9 8 0)

EXPENDITURE

	Appropriations <u>1979</u> (EUA)	Appropriations <u>1980</u> (EUA)
<u>TITLE 1 - STAFF EXPENDITURE</u>		
<u>Chapter 11 - Staff</u>		
<u>Article 110 - Salaries</u>	812,214	860,004
Existing Staff:		
- Director - Deputy Director		
- 3 Technical Advisers 3A		
- 3 Technical Advisers 3B		
- 3 Special Duties Officers 4A		
- 1 Accountant 5A		
- 3 Assistants 5A		
- 7 Secretaries 5B		
- 1 Driver (local)		
- 1 Messenger (local)		
- Holiday Allowance for above		
<u>Article 112 - Provision for increase</u>	37,511	74,468
- Biennial increase 25,278 ⁽¹⁾		
- Rise in the cost of living (1 September 1979 to 31 August 1980) 44,264 ⁽²⁾		
- Holiday Allowance for above 4,926		
	74,468	
<u>Article 113 - Social Charges</u>	283,700	306,750

⁽¹⁾ According to Article 27, Decision 2/77/CIC of 28 July 1977
⁽²⁾ This item is intended to cover rises in the cost of living after authorization by the Committee on Industrial Co-operation in accordance with Article 27, third paragraph, Decision 2/77/CIC of 28 July 1977

			Appropriations <u>1979</u> (EUA)	Appropriations <u>1980</u> (EUA)
<u>Article 114 - Miscellaneous allowances and grants</u>			69,300	74,800
	<u>1979</u>	Estimates <u>1980</u>		
- Education allowance	26,000	28,000		
- Transport allowance	1,800	1,800		
- Resettlement allowance ⁽¹⁾	18,000	25,000		
- Installation allowance	3,500	-		
- Allowance for periodic home leave	20,000	20,000		
	<u>69,300</u>	<u>74,800</u>		
TOTAL CHAPTER 11			1,202,725	1,316,022
TOTAL TITLE I			1,202,725	1,316,022

⁽¹⁾ This estimated appropriation does not make any allowance for the possible replacement in 1980 of all expatriate staff members.

.../...

	Appropriations 1979 (EUA)	Appropriations 1980 (EUA)
<u>TITLE 2 - BUILDINGS, EQUIPMENT AND MISCELLANEOUS EXPENDITURE</u>		
<u>Chapter 21 - Rental of building and incidental expenditure</u>		
<u>Article 210 - Rent</u>	20,000	21,000 ⁽¹⁾
<u>Article 211 - Incidental expenditure</u>	64,866	65,000
	Estimates 1979 1980	
- Joint services with the ACP	48,522	50,000
- Services independent of ACP	16,344	15,000
	64,866	65,000
Total Chapter 21	84,866	86,000
<u>Chapter 22 - Moveable property and incidental expenditure</u>		
<u>Article 220 - Purchase of office machinery and furniture</u>	8,437	
- Unforeseeable equipment expenditure	4,280	4,000
<u>Article 221 - Rental of furniture and equipment</u>	3,065	3,000
<u>Article 222 - Maintenance of furniture and equipment</u>	6,701	12,500 ⁽²⁾
<u>Article 223 - Transport equipment, maintenance, repairs, use</u>	3,000	4,000 ⁽³⁾
<u>Article 224 - Documentation expenses</u>	5,000	3,000
Total Chapter 22	30,483	26,500

- ⁽¹⁾ Indexation of rent - Additional offices rented in Bvd Brand Whitlock with the agreement of the CIC.
⁽²⁾ Additional documents to be photocopied due to development of Information Department.
⁽³⁾ Increase in oil price.

.../...

	Appropriations 1979 (EUA)	Appropriations 1980 (EUA)
<u>Chapter 23 - Current administrative operating expenditure</u>		
<u>Article 230 - Stationery and office supplies</u>	17,500	15,000
<u>Article 231 - Postal charges and telecommunications</u>	60,000	63,000
Estimates 1979 1980		
- Postage 10,000 13,400		
- Telephone, telegraph, telex 50,000 50,000		
<u>Article 235 - Other operating expenditure</u>	11,500	7,000
Estimates 1979 1980		
- Translation, costs 6,500 2,000		
- Miscellaneous administrative expenses 5,000 5,000		
TOTAL CHAPTER 23	89,000	85,000
<u>Chapter 24 - Mission expenses, representation and entertainment expenditure</u>		
<u>Article 240 - Mission and duty travel expenses (Europe and ACP countries)</u>	133,750	120,000
<u>Article 241 - Representation and entertainment expenses</u>	15,500	10,000
TOTAL CHAPTER 24	149,250	130,000
TOTAL TITLE 2	353,599	327,500

.../...

	Appropriations 1979 (EUA)	Appropriations 1980 (EUA)
<u>TITLE 3 - PROGRAMME EXPENDITURE (1)</u>		
<u>Chapter 31 - Promotional contracts, information, meetings, training</u>		
<u>Article 310 - Concerted ACP-EEC industrial promotion action</u>	315,000	150,000
<u>Article 311 - Co-operation with regional ACP institutions, regional seminar on industrial co-operation</u>	120,000	109,500
<u>Article 312 - ACP-EEC Information Service</u>	100,000	56,377
<u>Article 313 - Training (10 Experts x 7,500) (Assistance in Industrial Promotion within the CID)</u>	75,000	75,000
<u>Article 314 - In-plant industrial training support services</u>	20,000	17,692
<u>Article 315 - Adapted industrial technology profiles</u>	40,000	30,399
<u>Article 316 - Industrial Services Centres</u>	25,000	25,000
TOTAL CHAPTER 31	695,000	463,968
<u>Chapter 32 - Studies</u>		
<u>Article 321 - Assistance to applied research and development projects</u>	60,000	18,000
<u>Article 322 - Preliminary studies on industrial projects</u>	240,000	217,352
<u>Article 323 - Rehabilitation of existing industries in the ACP States (in collaboration with EEC technological partners)</u>	80,000	26,415
<u>Article 324 - Short-term expertises (10 x 5,000)</u>	50,000	38,479
TOTAL CHAPTER 32	430,000	300,246

(1) Taking into account the appropriations carried over from 1979.

				Appropriations 1979 (EUA)	Appropriations 1980 (EUA)
<u>Chapter 33 - Advisory Council expenditure and supervisory body</u>				48,122	27,000
		Estimates 1979 1980			
<u>Article 331 - Advisory Council</u>	47,122	47,000			
<u>Article 332 - Supervisory Body</u>	1,000	1,000			-
TOTAL CHAPTER 33					27,000
TOTAL TITLE 3				1,173,122	791,214

.../...

SUMMARY OF EXPENDITURE

	<u>Appropriations 1979 (EUA)</u>	<u>Appropriations 1980 (EUA)</u>
(a) TITLES 1 and 2		
Operating expenditure		
Title 1: 1,316,022	1,556,324	1,643,522
Title 2: 327,500		
(b) TITLE 3		
Programme expenditure	1,173,122	791,214 ⁽¹⁾
GRAND TOTAL	<u>2,729,446</u>	<u>2,434,736</u>

REVENUE

(a) Contribution from the European Development Fund	2,581,000	2,286,290
(b) Revenues (estimates), in particular taxes on salaries	148,446	148,446
TOTAL REVENUE	<u>2,729,446</u>	<u>2,434,736</u>

⁽¹⁾ Taking into account the appropriations carried over from 1979

DECISION No 3/80 OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 1 JULY 1980

on the
appointment of the Director and the Deputy Director
of the Centre for Industrial Development
and the drawing up of their contracts

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the first ACP-EEC Convention of Lomé, and
in particular Articles 35, 36 and 91, third subparagraph
thereof,

Having regard to Decision No 2/76 of the Council of Ministers
laying down the statutes and rules of operation of the Centre
for Industrial Development, and in particular Article 3(1)
and (2) thereof,

Having regard to Decision No 1/80 of the Council of Ministers
of 18 January 1980 on transitional measures to be applied
from 1 March 1980, and in particular Article 3 thereof,

Whereas, pursuant to the said Decision, the Committee on Industrial Co-operation is authorized to exercise the powers necessary to ensure the continued operation of the Centre for Industrial Development;

Whereas, as provided for in Article 3(1) and (2) of the Decision No 2/76 now embodied in Article 81(2) of the second ACP-EEC Convention signed on 31 October 1979 at Lomé, the Centre shall be headed by a Director assisted by a Deputy Director both of whom shall be appointed by the Committee;

Whereas the European Economic Community has proposed to the Committee on Industrial Co-operation that Mr Jens MOSGARD be appointed to the post of Director of the Centre for Industrial Development, and the ACP States have proposed that Dr Isaac Adedayo AKINRELE be appointed to the post of Deputy Director of the Centre;

Whereas the authority empowered to sign the contracts of the Director and the Deputy Director of the Centre should be designated; whereas the Committee on Industrial Co-operation is the supervisory authority of the Centre and whereas its Chairman is therefore in a position to act on behalf of the Centre to appoint the Director and Deputy Director thereof,

HAS DECIDED AS FOLLOWS:

Article 1

1. With effect from 1 July 1980, Mr Jens MOSGARD is hereby appointed Director of the Centre for Industrial Development.

2. With effect from 1 July 1980, Dr Isaac Adelayo AKINRELE is hereby appointed Deputy Director of the Centre for Industrial Development.

Article 2

The Committee on Industrial Co-operation empowers its Chairman and the spokesman of the delegation which will be the next to hold the office of Chairman, in accordance with Article 3 of Decision No 1/76 of the ACP-EEC Council of Ministers, jointly to sign the contracts of the Director and the Deputy Director on behalf of the Centre for Industrial Development.

Done at Brussels, 1 July 1980
For the Committee on
Industrial Co-operation
The Chairman

(s.) Chief P. AFOLABI

DECISION No 4/80/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 25 MARCH 1980

on the adjustment of the remuneration
laid down in Article 3 of Decision No 2/77/CIC
laying down the conditions of employment
of the staff of the Centre for
Industrial Development

THE COMMITTEE OF INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, as amended by Decision No 7/77, and in particular Article 5(5) thereof,

Having regard to Decision No 2/77/CIC of the Committee on Industrial Co-operation of 28 July 1977 laying down the conditions of employment of the staff of the Centre for Industrial Development, and in particular the third paragraph of Article 27 thereof,

.../...

Having regard to Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on transitional measures to be applied from 1 March 1980,

Whereas under the third paragraph of Article 27 of Decision No 2/77/CIC the Committee may decide, on a proposal from the Director, to adjust the remuneration laid down in Article 3 thereof in order to take account of trends in the cost of living and in purchasing power;

Whereas adjustments were made by Decisions No 5/78/CIC, No 2/79/CIC and No 3/79/CIC;

Whereas the Director has submitted a proposal for further adjustment;

Whereas it appears desirable, in order to take account of trends in the cost of living and in purchasing power in Brussels, which is the seat of the Centre, to adjust the remuneration of the staff of the Centre on the basis of the variation in the general consumer price index in Belgium between 1 March 1979 and 31 August 1979; whereas this index increased from 131.29 in February 1979 to 134.46 in August 1979, which represents an increase of 2.41%.

HAS DECIDED AS FOLLOWS:

Article 1

With effect from 1 September 1979 the remuneration laid down in Article 3 of Decision No 2/77/CIC shall be increased by 12.98%.

.../...

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 25 March 1980
For the Committee on Industrial Co-operation
The Chairman

(s.) F. FABBRI

.../...

DECISION No 5/80/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 7 NOVEMBER 1980

on the adjustment of the remuneration
laid down in Article 3 of Decision
No 2/77/CIC laying down the conditions of employment
of the staff of the Centre for
Industrial Development

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, signed on
28 February 1975, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of
Ministers of 14 July 1976 laying down the statutes and rules
of operation of the Centre for Industrial Development, as
amended by Decision No 7/77, and in particular Article 5(5)
thereof,

Having regard to Decision No 2/77/CIC of the Committee on
Industrial Co-operation of 28 July 1977 laying down the
conditions of employment of the staff of the Centre for
Industrial Development, (hereinafter referred to as "Centre")
and in particular the third paragraph of Article 27 thereof,

Having regard to Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on transitional measures to be applied from 1 March 1980,

Whereas under the third paragraph of Article 27 of Decision No 2/77/CIC the Committee may decide, on a proposal from the Director of the Centre, to adjust the remuneration laid down in Article 3 thereof in order to take account of trends in the cost of living and in purchasing power;

Whereas adjustments were made by Decisions No 5/78/CIC, No 2/79/CIC, No 3/79/CIC and No 4/80/CIC;

Whereas the Director of the Centre has submitted proposals for further adjustments;

Whereas it appears desirable, in order to take account of trends in the cost of living and in purchasing power in Brussels, which is the seat of the Centre, to adjust the remuneration of the staff of the Centre on the basis of the variation in the general consumer price index in Belgium between 1 September 1979 and 29 February 1980 and between 1 March 1980 and 31 August 1980; whereas this index increased from 134.46 in August 1979 to 139.73 in February 1980 (an increase of 3.91%) and to 142.94 in August 1980 (a further increase of 2.3%),

HAS DECIDED AS FOLLOWS:

Article 1

With effect from 1 March 1980 the remuneration laid down in Article 3 of Decision No 2/77/CIC shall be increased by 17.41%.

.../...

Article 2

With effect from 1 September 1980 the remuneration laid down in Article 3 of Decision No 2/77/CIC shall be increased by 20.10%.

Article 3

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 7 November 1980

For the Committee on
Industrial Co-operation

The Chairman

(s.) J. DONDELINGER

DECISION No 6/80/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 7 NOVEMBER 1980

authorizing transfers, between chapters,
of appropriations in the 1979 budget of the Centre
for Industrial Development (financial year 1980)

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, signed on
28 February 1975, and in particular Articles 35 and 36
thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council
of Ministers of 14 July 1976 laying down the statutes and
rules of operation of the Centre for Industrial Development,
hereinafter referred to as "Centre", and in particular
Article 6 thereof,

Having regard to Decision No 3/77/CIC of the Committee on
Industrial Co-operation of 15 February 1977 adopting the
Financial Regulation of the Centre for Industrial
Development, and in particular Article 10 thereof,

Having regard to Decision No 1/80 of the ACP-EEC Council of
Ministers of 18 January 1980 on transitional measures to be
applied from 1 March 1980,

.../...

Whereas, at the close of the financial year 1979 the Director of the Centre, in accordance with Article 4(2) of the Financial Regulation of the Centre adopted by Decision No 3/77/CIC, authorized the appropriations in the 1979 budget which had not been used up at 31 December 1979 to be carried forward to the financial year 1980;

Whereas the Director of the Centre subsequently proposed that some of these appropriations be the subject of chapter-to-chapter transfers; whereas it is for the Committee to take a decision on the matter; whereas the proposed transfers are necessary to ensure, in the interests of sound financial management, the smooth functioning of the Centre,

HAS DECIDED AS FOLLOWS:

Sole Article

The transfers, between chapters, of certain appropriations which had been entered in the 1979 budget of the Centre and were subsequently carried forward to the financial year 1980 shall be authorized under the conditions laid down in the Annex to this Decision.

.../...

ANNEX

Breakdown of transfers

- EUA -

From chapters

23	Current administrative operating expenditure	24,898.43
24	Mission expenses, representation and entertainment expenditure	51,937.57
31	Promotional contacts, information, meetings, training	152,953.46
32	Studies	34,207.00
33	Advisory Council and Supervisory Body	17,888.26
		<hr/> 281,884.72

To chapters

- EUA -

11	Staff	189,364.49
21	Rental of building and incidental expenditure	16,784.85
22	Movable property and incidental expenditure	75,735.38
		<hr/> 281,884.72

It is understood that the funds available under chapters 11, 21 and 22 (1979 budget of the Centre) will be used to pay, until the end of 1980:

- staff expenditure, within the limits of the complement for 1980 authorized under the budget;
- expenditure for the rental and maintenance of the existing buildings of the Centre;
- costs incurred in 1980, following the rental and maintenance of equipment, as well as the library expenses and the purchase of a service car and of furniture and equipment required for extending the activities of the Centre.

.../...

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Gedaan te Brussel,

7. XI. 1920

For Udvalget for industrielt Samarbejde
Im Namen des Ausschusses für industrielle Zusammenarbeit
For the Committee on Industrial co-operation
Par le Comité de coopération industrielle
Per il Comitato per la cooperazione industriale
Voor het Comité voor industriële samenwerking

Formand
Der Präsident
The Chairman
Le président
Il Presidente
De Voorzitter



J. DONDELINGER

DECISION No 7/80/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 7 NOVEMBER 1980

on the appointment of the Members
of the Advisory Council of the
Centre for Industrial Development

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, signed on 28 February 1975, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, as amended by Decision No 7/77, and in particular Article 4(2) thereof,

Having regard to Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on the transitional measures to be applied from 1 March 1980, and in particular Article 3 thereof,

.../...

Whereas the Second ACP-EEC Convention, signed at Lomé on 31 October 1979, provides in its Article 81(3) and (4) for an Advisory Council which is to have the task of advising and assisting the Centre in the programming and development of its industrial activities, and which is to be composed of persons with wide experience in the industrial field, especially in the manufacturing sector, to be chosen on a personal basis on the grounds of their qualifications from nationals of the States party to the Convention;

Whereas, under the provisions in force, it falls to the Committee to appoint the fourteen Members of the Advisory Council for a two-year period; whereas the nationals of the ACP States will be designated later,

HAS DECIDED AS FOLLOWS:

Sole Article

The following are hereby appointed Members of the Advisory Council of the Centre for Industrial Development for a period of two years starting from the date of this Decision:

Messrs. ANGLES D'AURIAC Bruno
DELEFORTRIE Michel
de WAAL C.
McGARVEY A.
ROBERT André
SHEEHY Morgan
SIEBEL Ulf
TRONTI Angelo.

.../...

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Gedaan te Brussel,

5. 7. XI. 1936

For Udvalget for industrielt Samarbejde
Im Namen des Ausschusses für industrielle Zusammenarbeit
For the Committee on Industrial co-operation
Par le Comité de coopération industrielle
Per il Comitato per la cooperazione industriale
Voor het Comité voor industriële samenwerking

Formand
Der Präsident
The Chairman
Le président
Il Presidente
De Voorzitter



J. DONDELINGER

II. ACCESSIONS

.../...

EXPLANATORY NOTE

I. In 1980 the following obtained accession to the ACP-EEC Convention of Lomé:

- St. Vincent and the Grenadines ⁽¹⁾
- Vanuatu ⁽²⁾
- Zimbabwe.

II. The following facts regarding Zimbabwe should be borne in mind:

- (1) on 21 January 1980 the Community decided to grant Zimbabwe the same trade arrangements (including ECSC products) as those enjoyed by the OCT by virtue of Decisions 76/568/ECSC and 76/570/ECSC ⁽³⁾.
- (2) on 18 April 1980 Zimbabwe, having attained independence, immediately requested accession to the second Lomé Convention ⁽⁴⁾.

⁽¹⁾ See Decision 2/80 of the ACP-EEC Council of Ministers and instrument of accession, pp. 3 and 95 respectively of this Compilation. It should be pointed out here that St. Vincent and the Grenadines, which had become independent on 27 October 1979, had requested accession on 26 November 1979 and secured it on 27 February 1980, was actually unable to sign the second ACP-EEC Lomé Convention on 31 October 1979 and thus obtained membership under the first Convention initially. It subsequently signed the second ACP-EEC Lomé Convention.

⁽²⁾ This was a direct accession to the second ACP-EEC Lomé Convention and hence an accession within the meaning of Article 185 of that Convention (see Decision 1/81 of the ACP-EEC Council of Ministers, p. 33 of this Compilation).

⁽³⁾ See Council Regulation 120/80 and the Decision No 80/46/ECSC by the Representatives of the Governments of the Member States in OCT Compilation, vol. V.).

⁽⁴⁾ See Decision 6/80 of the ACP-EEC Council of Ministers, p. 17 of this Compilation.

- (3) On 4 November 1980 the negotiations between the Community and Zimbabwe resulted in an Agreement being signed between the two parties. As this Agreement ⁽¹⁾ was subject to ratification in the signatory States it could not come into force until that procedure had been carried out, and an interim Agreement ⁽²⁾ was signed on the same date. The conclusion of this Agreement is the subject of Regulation No 3550/80 of 16.12.1980 ⁽³⁾. Similarly, the Decision of the Representatives of the Governments of the Member States No 80/1261/ECSC ⁽⁴⁾ came into force on 1 January 1981.
- (4) On 16 February 1980 the Community also adopted Regulation No 3551/80 ⁽⁵⁾ on the advance application of certain trade provisions in the second Convention.
-

⁽¹⁾ See ACP-EEC Compilation vol. VI.

⁽²⁾ The only one contained in this Compilation.

⁽³⁾ See p. 148.

⁽⁴⁾ See p. 150.

⁽⁵⁾ See p. 149.



OFFICE OF THE PRIME MINISTER
SAINT VINCENT AND THE GRENADINES
WEST INDIES

12 February 1980

The Secretary General
The Secretariat
Council of European Communities
170 Rue de La Loi
1048 Brussels
BELGIUM

Dear Sir,

INSTRUMENT OF ACCESSION - TO THE ACP/EEC CONVENTION OF LOMÉ

"Greetings"

WHEREAS on 5 November 1979 the Government of St Vincent and the Grenadines submitted a request for accession to ACP/EEC Convention of Lomé

AND WHEREAS the ACP/EEC Council of Ministers, acting in conformity with Article 89 of the ACP/EEC Convention of Lomé, adopted on February 1980 Decision No 2/80 approving the accession of St Vincent and the Grenadines to the ACP/EEC Convention of Lomé

AND WHEREAS it is provided in Article 89 of the ACP/EEC Convention of Lomé that a country shall accede to that Convention by depositing an Instrument of Accession with the Secretariat of the Council of the European Communities

NOW THEREFORE: I Robert Milton Cato, Prime Minister of St Vincent and the Grenadines declare that St Vincent and the Grenadines hereby accedes to the ACP/EEC Convention of Lomé

Done at St Vincent on the 12th day of February one thousand nine hundred and eighty

A handwritten signature in dark ink, appearing to read 'R Milton Cato', written over a horizontal line.

R Milton Cato
Prime Minister of St Vincent
and the Grenadines

INTERIM AGREEMENT
BETWEEN
THE EUROPEAN ECONOMIC COMMUNITY
AND THE REPUBLIC OF ZIMBABWE ⁽¹⁾ ⁽²⁾

-
- (¹) Articles 1 to 19 of the second Convention of Lomé, Protocols 1, 4 and 5 and the declarations in the Final Act of that Convention (these texts are all referred to in this Agreement) are not included here.
- (²) Notification of the completion of the necessary procedures for the application of this Agreement was given on 11.12.1980 for Zimbabwe and on 18.12.1980 for the Community. The Agreement came into force on 1.1.1981 and will remain valid until the entry into force of the Agreement signed on the same date and subject to ratification (procedure not yet carried out on the date of publication of this Compilation).
See also pp. 17, 148, 149 and 150 of this Compilation, and OCT Compilation, 1980.

.../...

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
of the one part, and

THE PRESIDENT OF THE REPUBLIC OF ZIMBABWE,
of the other part,

WHEREAS the second ACP-EEC Convention, signed at Lomé on 31 October 1979, hereinafter referred to as the "Convention", will enter into force as soon as the necessary procedures are completed;

WHEREAS Zimbabwe has applied to accede to the Convention and the ACP-EEC Council of Ministers, by its Decision No 6/80 of 9 May 1980, has approved this request;

WHEREAS an agreement on Zimbabwe's accession was signed at Luxembourg on 4 November 1980, between the Community and its Member States on the one hand and Zimbabwe on the other and that the agreement cannot enter into force until a certain period of time has elapsed;

WHEREAS it is appropriate, pending the entry into force of the aforementioned accession agreement, to establish transitional trade arrangements as from 1 January 1981 which would replace those introduced unilaterally by the Community by virtue of Council Regulation (EEC) No 120/80;

WHEREAS these transitional arrangements can, at this stage, be made to correspond to the Convention's provisions on trade,

.../...

HAVE DECIDED to conclude this Interim Agreement and have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Gaston THORN,
President-in-office of the Council of the European
Communities,
Vice-President and Minister for Foreign Affairs of
the Government of the Grand Duchy of Luxembourg;

Claude CHEYSSON,
Member of the Commission of the European Communities;

THE PRESIDENT OF THE REPUBLIC OF ZIMBABWE:

The Hon. David Colville SMITH, MP,
Minister for Commerce and Industry.

ARTICLE 1

From 1 January 1981 until the entry into force of the agreement on the accession of the Republic of Zimbabwe to the Convention, trade relations between the Community and Zimbabwe shall be governed by provisions corresponding to the trade arrangements laid down in Articles 1 to 19 of the Convention, in Protocol No 1 concerning the definition of the concept of "originating products" and methods of administrative co-operation, Protocol No 4 on bananas and Protocol No 5 on rum, annexed to the said Convention.

The provisions of Articles 1 to 19 of the Convention are set out in the Annex to this Interim Agreement, which shall form an integral part thereof.

.../...

ARTICLE 2

For the purpose of applying the texts referred to in Article 1:

- the word "Convention" shall be replaced by "Interim Agreement";
- "Zimbabwe" shall replace references to "ACP State(s)," except in the application of Protocol No. 1, in which the words "ACP State(s)" also cover Zimbabwe;
- the powers invested in the ACP-EEC Council of Ministers and in the other bodies provided for under the Convention shall be exercised jointly by the Community and Zimbabwe,
- the reference, which appears in the third subparagraph of Article 1 of the Convention, to measures under Titles V, VI, and VII of the Convention shall not apply.

ARTICLE 3

Save for the special provisions on relations between Zimbabwe and the French overseas departments, provided for in this Agreement, this Agreement shall apply, on the one hand, to those territories in which the Treaty establishing the European Economic Community is applied and under the conditions set out in that Treaty and, on the other hand, to the territory of the Republic of Zimbabwe.

ARTICLE 4

The arrangements applicable to trade between the ACP States and Greece as from 1 January 1981 shall also apply to trade between Zimbabwe and Greece.

ARTICLE 5

1. This Agreement shall be subject to ratification, acceptance or approval in accordance with the Contracting Parties' own procedures and the Parties shall notify one another of the completion of the procedures necessary for that purpose.
2. This Agreement shall enter into force on 1 January 1981 if the notifications referred to in paragraph 1 have been given by that date. Otherwise, it shall enter into force on the first day of the second month following the date on which the notifications referred to in paragraph 1 are given.

ARTICLE 6

The Protocols annexed to this Agreement shall form an integral part thereof.

ARTICLE 7

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German and Italian languages, each text being equally authentic.

.../...

TIL BEKRÆFTELSE HERAF har undertegnede befuldmægtigede underskrevet denne interimsaftale.

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Interimsabkommen gesetzt.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Interim Agreement.

EN FOI DE QUOI, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent accord intérimaire.

IN FEDE DI CHE, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente accordo interinale.

TEN BLIJKE WAARVAN de ondergetekende gevolmachtigden hun handtekening onder deze Interimovereenkomst hebben gesteld.

Udfærdiget i Luxembourg, den fjerde november nitten hundrede og firs.

Geschehen zu Luxemburg am vierten November neunzehnhundert-achtzig.

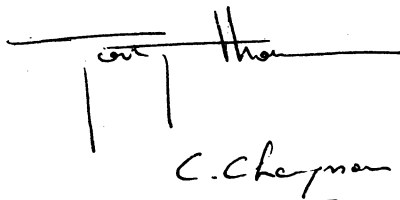
Done at Luxembourg on the fourth day of November in the year one thousand nine hundred and eighty.

Fait à Luxembourg, le quatre novembre mil neuf cent quatre-vingt.


Fatto a Lussenburg, addi' quattro novembre millenovecentottanta.

Gedaan te Luxemburg, de viende november negentienhonderd tachtig.

For Rådet for De europæiske Fællesskaber,
Für den Rat der Europäischen Gemeinschaften,
For the Council of the European Communities,
Pour le Conseil des Communautés européennes,
Per il Consiglio delle Comunità Europee,
Voor de Raad van de Europese Gemeenschappen,


C. Chapman

For præsidenten for republikken Zimbabwe,
Für den Präsidenten der Republik Simbabwe,
For the President of the Republic of Zimbabwe,
Pour le Président de la République du Zimbabwe,
Per il Presidente della Repubblica di Zimbabwe,
Voor de President van de Republiek Zimbabwe,


D. C. Smith

**INTERIM AGREEMENT
BETWEEN THE EUROPEAN ECONOMIC COMMUNITY
AND ZIMBABWE**

FINAL ACT

.../...

The Plenipotentiaries

of the Council of the European Communities,
of the one part, and

the Plenipotentiary

of the President of the Republic of Zimbabwe,
of the other part,

meeting in Luxembourg on fourth November one thousand nine hundred and eighty, for the signing of the Interim Agreement between the European Economic Community and Zimbabwe, have adopted the following texts:

- the Interim Agreement between the European Economic Community and the Republic of Zimbabwe, and the Annex thereto,
- Protocol No 1 concerning the definition of the concept of "originating products" and methods of administrative co-operation,
- Protocol No 4 on bananas,
- Protocol No 5 on rum,

these Protocols forming an integral part of the second ACP-EEC Convention, signed in Lomé on 31 October 1979.

The Plenipotentiaries of the Member States and of the Community and the Plenipotentiary of Zimbabwe have also agreed that the following Declarations annexed to the Final Act of the Convention shall be applicable mutatis mutandis:

.../...

1. Joint declaration on the arrangements governing access to the markets of the French Overseas Departments for products originating in the ACP States referred to in Article 2(2) of the Convention (Annex II).
2. Joint declaration on Articles 9 and 11 of the Convention (Annex III).
3. Joint declaration on products covered by the common agricultural policy (Annex IV).
4. Joint declaration on Protocol No 1 (Annex XX).
5. Joint declaration on Protocol No 5 (Annex XXII).
6. Joint declaration on Article 1 of Protocol No 5 (Annex XXIII).
7. Joint declaration on Article 4 of Protocol No 5 (Annex XXIV).

They have also adopted the text of the following joint declaration:

8. Joint declaration on Article 9(2) of the Convention:

Having regard to Article 9 of the second ACP-EEC Convention and to the Declaration in Annex XXVIII to the Convention, the Community recognizes and the Government of Zimbabwe declares:

.../...

- that if any modification to the Zimbabwe tariff and to its preferential arrangements with a developed third country is contemplated, the Government of Zimbabwe will enter into immediate consultations with the Community regarding such intentions;
- that the Government of Zimbabwe and the Community will have immediate consultations at the request of either party, whenever the preferential treatment granted to another developed country might be considered as giving rise to less favourable treatment for Community exports.

The Plenipotentiary of the Republic of Zimbabwe has taken note of the content, *mutatis mutandis*, of the following declarations annexed to the Final Act of the Convention:

9. Community declaration on trade liberalization (Annex XXV).
10. Community declaration on Article 2(2) of the Convention (Annex XXVI).
11. Community declaration on Article 3 of the Convention (Annex XXVII).
12. Community declaration on Article 9(2)(a) of the Convention (Annex XXVIII).
13. Community declaration on 12(3) of the Convention (Annex XXIX).
14. Community declaration on Articles 30 and 31 of Protocol No 1 (Annex XXXVI).

.../...

TIL BEKRÆFTELSE HERAF har undertegnede befuldmægtigede underskrevet denne interimsaftale.

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Interimsabkommen gesetzt.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Interim Agreement.

EN FOI DE QUOI, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent accord intérimaire.

IN FEDE DI CHE, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente accordo interinale.

TEN BLIJKE WAARVAN de ondergetekende gevolmachtigden hun handtekening onder deze Interimovereenkomst hebben gesteld.

Udfærdiget i Luxembourg, den fjerde november nitten hundrede og firs.

Geschehen zu Luxemburg am vierten November neunzehnhundertachtzig.

Done at Luxembourg on the fourth day of November in the year one thousand nine hundred and eighty.

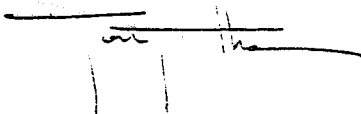
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Gedaan te Luxemburg, de viende november negentienhonderd tachtig.

.../...

For Rådet for De europæiske Fællesskaber,
Für den Rat der Europäischen Gemeinschaften,
For the Council of the European Communities,
Pour le Conseil des Communautés européennes,
Per il Consiglio delle Comunità Europee,
Voor de Raad van de Europese Gemeenschappen,



C. Cheysson

For presidenten for republikken Zimbabwe,
Für den Präsidenten der Republik Simbabwe,
For the President of the Republic of Zimbabwe,
Pour le Président de la République du Zimbabwe,
Per il Presidente della Repubblica di Zimbabwe,
Voor de President van de Republiek Zimbabwe,

D. C. Smith

.../...

III. TRANSITIONAL MEASURES

(ACP/EEC and Community)

.../...

EXPLANATORY NOTE

Below are all the provisions forming the temporary arrangements which governed relations between the ACP States and the Community from the expiry of Lomé I (29.2.1980) until the entry into force of the second Convention of Lomé.

A. These interim measures are of two kinds:

- (a) Those pursuant to Decision 1/80 adopted by the ACP-EEC Council of Ministers on 18.1.1980 which constitute an extension of the provisions of Lomé I, and
- (b) those representing an advance application of the provisions of Lomé II.

B. A reminder is given that:

- (a) at its meetings on 18.1.1980 and 15.2.1980, the ACP-EEC Committee of Ambassadors decided to make provision for advance application of the following provisions of the second Convention of Lomé until the entry into force of new corresponding provisions, and until 31.12.1980 at the latest:

- Protocol No 4 on bananas

- Protocol No 5 on rum and 2 joint declarations appertaining thereto, contained in Annexes XXII and XXIII to the Final Act.
[see Regulations No 438/80 and 1711/80 adopted by the Council (EEC) on 18 February and 27 June 1980, pp. 165 and 167 of this compilation].

.../...

- Community declaration on Articles 30 and 31 of Protocol No 1 (Annex XXXVI to the Final Act) (derogations from the rules of origin) [see Regulations Nos 551/80 and 552/80 adopted by the Council (EEC) on 3 March 1980, pp. 190 and 192 of this Compilation].
- Joint declaration on the origin of fishery products (Annex XXI to the Final Act).
- Joint declaration on complementary financing of industrial co-operation (Annex X to the Final Act).
- Community declaration on Article 2(2) of the Convention (possible preferential arrangement for other agricultural products) (Annex XXVI to the Final Act) [see Regulations Nos 435/80, 436/80 and 437/80 adopted by the Council (EEC) on 18 February 1980, pp. 123, 138 and 140 of this Compilation].

(b) The Community also declared its willingness to put the following into advance application:

- the declaration annexed to the minutes of the signing of Lomé II, concerning the supply of available agricultural products,
- and the safeguarding and consultation measures provided for in Articles 12 and 13 of Lomé II, together with the related declarations in Annexes IV and XXIX to the Final Act [see Regulation No 1470/81 adopted by the Council (EEC) on 9 June 1980, p. 153 of this Compilation].

(c) In conclusion, the Community adopted a Regulation on 24 June 1980 intended to enable STABEX to be applied immediately on the entry into force of Lomé II, having due regard to the new list of products contained in that Convention [see Regulation No 1638/80 adopted by the Council (EEC) on 24 June 1980, p. 197 of this Compilation].

.../...

DECISION 1/80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 18 JANUARY 1980 (*)

on transitional measures
to be applied from 1 March 1980 (**)

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975, and in particular the third paragraph of Article 91 thereof,

Having regard to the Agreement on products within the province of the European Coal and Steel Community signed at Lomé on 28 February 1975,

Having regard to Decision 10/79 of the ACP-EEC Council of Ministers of 31 October 1979 delegating powers to the ACP-EEC Committee of Ambassadors in connection with the adoption of transitional measures on the expiry of the Convention of Lomé,

(*) The ACP-EEC Committee of Ambassadors, acting on the authority of the ACP-EEC Council of Ministers agreed on, inter alia, the following at its meeting on Friday 18 January 1980:

"It was agreed that the effect of this Decision would be to extend until 31 December 1980 the period fixed in Article 2 of Protocol No 2 to the first Lomé Convention, which related to risk capital and regional projects."

The Decision by the Council of Governors of the EIB on 18 March 1980 concerning the continuation of the Bank's operations financed from its own resources in the ACP States and OCT after expiry of the Convention of Lomé II is reproduced on page 143 of this Compilation.

(**) See also implementing Regulation No 434/80, p. 121.

.../...

Whereas appropriate transitional measures, to apply from 1 March 1980, should be adopted to maintain in force the relevant provisions of the ACP-EEC Convention of Lomé of 1975,

HAS DECIDED AS FOLLOWS:

Article 1

The following provisions and the acts adopted pursuant thereto shall remain applicable after 1 March 1980 until the entry into force of new provisions relating to the same areas, or until 31 December 1980, whichever is the earlier:

1. as regards the ACP-EEC Convention of Lomé signed on 28 February 1975:
 - (a) the provisions on trade co-operation in Title I and Protocol No 1;
 - (b) subject to Article 4(2) of this Decision, the provisions on the export earnings stabilization system in Title II, Chapter 1;
 - (c) the provisions on industrial co-operation in Title III;
 - (d) the provisions on establishment, services, payments and capital movements in Title V;

.../...

- (e) the provisions on institutions in Title VI and Protocol No 4;
 - (f) the general and final provisions in Articles 84, 85, 88, 89, 90, 91 (third paragraph), 92, 93 and 94 and Protocol No 5;
2. the Agreement on products within the province of the European Coal and Steel Community, signed at Lomé on 28 February 1975.

Article 2

For the purposes of applying transitional measures, the ACP-EEC Committee of Ambassadors may, where necessary, exercise the powers conferred on the ACP-EEC Council of Ministers by the ACP-EEC Convention of Lomé of 1975.

Article 3

The Committee on Industrial Co-operation is hereby authorized to exercise the powers necessary to ensure the continued operation of the Centre for Industrial Development until the entry into force of the new ACP-EEC Convention.

.../...

Article 4

The export earnings stabilization system and financial and technical co-operation under the ACP-EEC Convention of Lomé of 1975 shall continue to be implemented under the same conditions as those laid down in that Convention.

Article 18(5) of the said Convention shall continue to apply, pending a final decision by the ACP-EEC Council of Ministers.

Article 5

The ACP States, the Member States of the Community and the Community shall, each to the extent concerned, take the measures necessary to implement this Decision.

Article 6

This Decision shall enter into force on 1 March 1980.

Done at Brussels, 18 January 1980
for the ACP-EEC Committee of Ambassadors
The Chairman

(s.) E. PLAJA

.../...

COUNCIL REGULATION (EEC) No 434/80

of 18 February 1980

concerning the application of Decision No 1/80 of the ACP—EEC Council of Ministers on transitional measures to be applied from 1 March 1980 (*)

(OJ L 55/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113 and 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Whereas the ACP—EEC Convention of Lomé, signed on 28 February 1975, expires on 1 March 1980;

Whereas the second ACP—EEC Convention, signed at Lomé on 31 October 1979, cannot enter into force on the same date;

Whereas the Committee of Ambassadors established by the 1975 ACP—EEC Convention of Lomé has adopted, under the powers delegated to it by Decision No 10/79 of the ACP—EEC Council of Ministers and by virtue of

the third paragraph of Article 91 of that Convention, the transitional measures to be applied from 1 March 1980 until the entry into force of the second ACP—EEC Convention;

Whereas the measures needed to implement that Decision should be taken,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 1/80 of the ACP—EEC Council of Ministers annexed to this Regulation shall apply in the Community with effect from 1 March 1980 and shall expire not later than 31 December 1980.

Article 2

This Regulation shall enter into force on 1 March 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 February 1980.

For the Council

The President

G. MARCORA

(1) Opinion given on 15 February 1980

(*) See p. 117 of this Compilation.

COUNCIL DECISION
OF 5 FEBRUARY 1982

on transitional measures to be applied by
the Community, in the context of the ACP-EEC Convention of Lomé,
for the financing of
Commission delegations

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Sole Article

The Commission is hereby authorized to finance, through cash advances from the EDF, the operating expenditure of its delegations in the ACP States and the OCT as from 1 March 1980. From that date, these advances will be regularized, upon entry into force of the second ACP-EEC Convention signed in Lomé on 31 October 1979, by being charged against the Community's budget, in accordance with the Community statement on Article 95 of the said Convention, which provides for such expenditure to be covered by that budget for a five-year period expiring on 1 March 1985.

Done at Brussels, 5 November 1980
For the Council
The President

(s.) G. ZAMBERLETTI

.../...

COUNCIL REGULATION (EEC) No 435/80

of 18 February 1980

on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (*)

(OJ L 55/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 152/78⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽³⁾,

Whereas the second ACP—EEC Convention of Lomé, hereinafter referred to as 'the Convention', between the African, Caribbean and Pacific States, hereinafter referred to as 'the ACP States', and the European Economic Community was signed on 31 October 1979;

Whereas Article 2 (2) (a) of the Convention lays down that products originating in the ACP States:

- listed in Annex II to the Treaty when they come under a common organization of the market within the meaning of Article 40 of the Treaty, or
- subject, on importation into the Community, to specific rules introduced as a result of the implementation of the common agricultural policy,

shall be imported into the Community, notwithstanding the general arrangements applied in respect of third countries, in accordance with the following provisions:

- (i) those products shall be imported free of customs duties for which Community provisions in force at

the time of import do not provide, apart from customs duties, for the application of any other measure relating to their import,

- (ii) for products other than those referred to under (i), the Community shall take the necessary measures to ensure more favourable treatment than that applied to third countries benefiting from the most-favoured-nation clause for the same products;

Whereas it is laid down in Article 2 (2) (c) of the Convention that the arrangements referred to under paragraph (2) (a) shall enter into force at the same time as the Convention and shall remain applicable for its duration;

Whereas the Community has agreed to start applying autonomously the arrangements set out in Article 2 (2) (a) of the Convention, on trade in agricultural products and foodstuffs, as of 1 March 1980, that is to say before the Convention enters into force;

Whereas:

- Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽⁴⁾, as last amended by Regulation (EEC) No 2916/79⁽⁵⁾,
- Council Regulation (EEC) No 100/76 of 19 January 1976 on the common organization of the market in fishery products⁽⁶⁾, as last amended by Regulation (EEC) No 2903/78⁽⁷⁾,
- Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽⁸⁾, as last amended by Regulation (EEC) No 590/79⁽⁹⁾,
- Council Regulation (EEC) No 2727/75 of 24 October 1975 on the common organization of the market in cereals⁽¹⁰⁾, as last amended by Regulation (EEC) No 1547/79⁽¹¹⁾,

(*) OJ No L 148, 28. 6. 1968, p. 24.

(1) OJ No L 329, 24. 12. 1979, p. 15.

(2) OJ No L 20, 28. 1. 1978, p. 1.

(3) OJ No L 347, 12. 12. 1978, p. 1.

(4) OJ No L 72, 30. 9. 1966, p. 3025/66.

(5) OJ No L 74, 30. 3. 1979, p. 1.

(6) OJ No L 281, 1. 11. 1975, p. 1.

(7) OJ No L 188, 26. 7. 1979, p. 1.

(1) OJ No L 141, 12. 6. 1969, p. 1.

(2) OJ No L 23, 28. 1. 1978, p. 1.

(3) Opinion delivered on 15 February 1980, not yet published in the Official Journal.

(*) See also pp. 160 and 171 of this Compilation.

.../...

- Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 113/80 ⁽²⁾,
- Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽³⁾, as last amended by Regulation (EEC) No 1301/79 ⁽⁴⁾,
- Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables ⁽⁵⁾, as last amended by Regulation (EEC) No 2999/79 ⁽⁶⁾,
- Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽⁷⁾, as last amended by Regulation (EEC) No 1303/79 ⁽⁸⁾,
- Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽⁹⁾, as last amended by Regulation (EEC) No 1579/79 ⁽¹⁰⁾,
- Regulation (EEC) No 1059/69,
- Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the markets in flax and hemp ⁽¹¹⁾, as last amended by Regulation (EEC) No 814/76 ⁽¹²⁾,
- Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops ⁽¹³⁾, as last amended by Regulation (EEC) No 235/79 ⁽¹⁴⁾,
- Council Regulation (EEC) No 234/68 of 27 February 1968 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage ⁽¹⁵⁾, as last amended by Regulation (EEC) No 1225/79 ⁽¹⁶⁾,

- Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seed ⁽¹⁷⁾, as last amended by Regulation (EEC) No 2878/79 ⁽¹⁸⁾,
- Council Regulation (EEC) No 827/68 of 28 June 1968 on the common organization of the market in certain products listed in Annex II to the Treaty ⁽¹⁹⁾, as last amended by Regulation (EEC) No 114/80 ⁽²⁰⁾, and
- Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder ⁽²¹⁾, as last amended by Regulation (EEC) No 114/80,

establish trade arrangements with third countries;

Whereas, for the purposes of this Regulation, the concept of import duties shall be that set out in Article 1 (2) (a) of Regulation (EEC) No 1430/79 ⁽²²⁾;

Whereas, on the one hand, these trade arrangements provide only for the application of customs duties on the import of a number of products; whereas, on the other hand, these arrangements involve the application of customs duties and import levies on beef and veal and on products processed from fruit and vegetables, the charging of levies in respect of cereals, rice and products processed from cereals and rice, the charging of an *ad valorem* duty and a variable component on certain goods resulting from the processing of agricultural products, the application of customs duties and other measures in respect of imports of fishery products, certain fruit and vegetables, and oils and fats; whereas the obligations of the Community towards the ACP States under Article 2 (2) (a) of the Convention may be fulfilled by granting total or partial exemption from import duties for the products in question where they originate in the ACP States;

Whereas it should be specified that the advantages resulting from Article 2 (2) (a) of the Convention are accorded only to originating products within the meaning of Protocol 1 concerning the definition of the concept of originating products and methods of administrative cooperation, annexed to the ACP—EEC Convention of Lomé, signed on 28 February 1975 ⁽²³⁾, hereinafter referred to as 'the 1975 Convention', application of which was extended by Regulation (EEC) No 434/80 ⁽²⁴⁾;

Whereas, upon entry into force of the Convention, Protocol 1 annexed thereto, will become applicable in respect of the rules of origin;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 162, 30. 6. 1979, p. 26.

⁽⁵⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽⁶⁾ OJ No L 341, 31. 12. 1979, p. 1.

⁽⁷⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁸⁾ OJ No L 162, 30. 6. 1979, p. 28.

⁽⁹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽¹⁰⁾ OJ No L 189, 27. 7. 1979, p. 1.

⁽¹¹⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽¹²⁾ OJ No L 94, 9. 4. 1976, p. 4.

⁽¹³⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽¹⁴⁾ OJ No L 34, 9. 2. 1979, p. 4.

⁽¹⁵⁾ OJ No L 55, 2. 3. 1968, p. 1.

⁽¹⁶⁾ OJ No L 155, 22. 6. 1979, p. 10.

⁽¹⁷⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽¹⁸⁾ OJ No L 325, 21. 12. 1979, p. 1.

⁽¹⁹⁾ OJ No L 151, 30. 6. 1968, p. 16.

⁽²⁰⁾ OJ No L 16, 22. 1. 1980, p. 3.

⁽²¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²²⁾ OJ No L 175, 12. 7. 1979, p. 1.

⁽²³⁾ OJ No L 25, 31. 1. 1976, p. 1.

⁽²⁴⁾ See page I of this Official Journal.

Whereas, furthermore, these advantages should be combined with certain conditions and limited to certain annual and multiannual quantities on a case-by-case basis;

Whereas there have traditionally been trade flows from the ACP States to the French overseas departments; whereas measures should therefore be introduced to encourage the importation of certain products originating in the ACP States into these French overseas departments to cover local consumption requirements, including consumption following processing; whereas provision should be made for altering the arrangements governing access to the markets in products originating in the ACP States referred to in Article 2 (2) of the Convention, particularly in the light of the said departments' economic development requirements;

Whereas it should be stipulated that the safeguard clauses provided for in the Regulations on the common organization of the agricultural markets and in the specific rules introduced as a result of the implementation of the common agricultural policy are applicable; whereas pursuant to the transitional application of certain provisions of the 1975 Convention the provisions of Article 10 thereof apply and will be replaced by those of Article 12 (1) of the Convention when it enters into force; whereas these provisions are complementary to and are implemented in accordance with Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP—EEC Convention of Lomé (1) and the Regulation which will replace it upon entry into force of the Convention;

Whereas the association of the Community with the overseas countries and territories, hereinafter referred to as 'the countries and territories', is governed by Decision 76/568/EEC (2), the period of validity of which was extended by Decision 80/162/EEC (3), in respect of the import arrangements for agricultural products and certain goods resulting from the processing of agricultural products and in respect of the rules of origin, and whose safeguard clauses apply as complementary measures; whereas upon the entry into force of a new Decision the provisions which it sets out will be applicable,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to products originating in the ACP States listed in Annex I or in the countries and territories listed in Annex II.

(1) OJ No L 18, 27.1.1976, p. 1.

(2) OJ No L 176, 1.7.1976, p. 3.

(3) OJ No L 35, 12.2.1980, p. 26.

2. The rules of origin applicable to such of these products as are imported from the ACP States or the countries and territories shall be respectively those set out in Protocol I annexed to the 1975 Convention and those in Annex II to Decision 76/568/EEC. These provisions shall cease with effect from the entry into force of the similar rules contained in the Convention and in the Decision to be taken on the association of the countries and territories.

3. If there is a change in the status of the countries and territories listed in Annex II, the list of States, countries and territories referred to in Annexes I and II shall be adapted by the Council, acting by a qualified majority on a proposal from the Commission.

TITLE I

Beef and veal

Article 2

The products of the beef and veal sector referred to in Article 1 of Regulation (EEC) No 805/68 shall be imported free of customs duties.

Article 3

Where, in the course of a year, imports into the Community of products falling within subheadings 02.01 A II and 16.02 B III b) I aa) of the Common Customs Tariff originating in an ACP State or country or territory, exceed a quantity equivalent to imports into the Community during the year, between 1969 and 1974, in which Community imports of products of that origin were highest, plus an annual growth rate of 7 %, exemption from customs duties on the products of that origin shall be partially or totally suspended in accordance with the procedure laid down in Article 23.

In that event the Commission shall report to the Council which, acting by a qualified majority on a proposal from the Commission, shall determine the arrangements to be applied to the imports in question.

Article 4

1. Within the limits of the quantities referred to in Article 5, import duties, other than customs duties, applied to products originating in the ACP States referred to in Article 1 (a) of Regulation (EEC)

No 805/68 shall be reduced by an amount to be fixed quarterly by the Commission and corresponding to 90 % of the average import duties applicable during a reference period.

2. Paragraph 1 shall apply only to imports for which the importer provides proof that an export charge of an amount equivalent to the reduction referred to in the said paragraph has been collected by the exporting country.

Article 5

1. The reduction in import duties provided for in Article 4 shall be subject to a maximum, expressed in terms of boned or boneless meat, of 30 000 tonnes per calendar year, allocated as follows:

Botswana	18 916 tonnes,
Kenya	142 tonnes,
Madagascar	7 579 tonnes,
Swaziland	3 363 tonnes.

Depending on the dates of entry into force and expiry of this Regulation, the quantities shown above, expressed by calendar year, shall be calculated *pro rata temporis*.

2. However, if the ACP States referred to in paragraph 1 should so request during a given year, the total quantity may be broken down differently among those States for that or the following year, in accordance with the procedure laid down in Article 23.

TITLE II

Fishery products

Article 6

The fishery products referred to in Article 1 of Regulation (EEC) No 100/76 shall be imported free of customs duties.

TITLE III

Oils and fats

Article 7

The oil and fat products referred to in Article 1 (2) (a) and (b) of Regulation No 130/66/EEC shall be imported free of customs duties.

TITLE IV

Cereals

Article 8

1. The levy applicable to imports of maize falling within subheading 10.05 B of the Common Customs Tariff shall be that fixed in accordance with Article 13 of Regulation (EEC) No 2727/75, reduced by 1.81 ECU per tonne.

2. The levy applicable to imports of millet falling within subheading 10.07 B of the Common Customs Tariff and of grain sorghum falling within subheading 10.07 C of the Common Customs Tariff shall be that fixed in accordance with Article 13 of Regulation (EEC) No 2727/75, reduced by 50 %.

TITLE V

Rice

Article 9

The levy applicable to imports of rice falling within subheading 10.06 B of the Common Customs Tariff shall be equal, per 100 kilograms of product, to the levy applicable to imports of rice from third countries, reduced as follows:

- (a) in the case of paddy rice falling within subheading 10.06 B 1 a) of the Common Customs Tariff:
 - by 50 %, and
 - by 0.36 ECU;
- (b) in the case of husked rice falling within subheading 10.06 B 1 b) of the Common Customs Tariff:
 - by 50 %, and
 - by 0.36 ECU;
- (c) in the case of semi-milled rice falling within subheading 10.06 B 11 a) of the Common Customs Tariff:
 - by the amount for the protection of the industry referred to in Article 14 (3) of Regulation (EEC) No 1418/76 converted by reference to the conversion rate between milled rice and semi-milled rice referred to in the third indent of Article 19 (a) of that Regulation,
 - by 50 % of the levy thus reduced, and
 - by 0.54 ECU;

.../...

(d) in the case of wholly milled rice falling within subheading 10.06 B II b) of the Common Customs Tariff:

- by the amount for the protection of the industry referred to in Article 14 (3) of Regulation (EEC) No 1418/76,
- by 50 % of the levy thus reduced, and
- by 0.54 ECU;

(e) in the case of broken rice falling within subheading 10.06 B III of the Common Customs Tariff:

- by 50 %, and
- by 0.30 ECU.

Article 10

1. Article 9 shall apply only if the cif export price of a given quantity, increased by the levy applicable to imports of rice originating in the ACP States or in the countries and territories is, at the time of exportation, for that quantity, equal to or more than;

- in the case of husked rice, milled rice and broken rice, the threshold price less, respectively, 0.36, 0.54 and 0.30 ECU,
- in the case of paddy rice, the threshold price of husked rice adjusted by reference to the conversion rate, processing costs and the value of the by-products to be taken for conversion from the husked state to the paddy state, less 0.36 ECU,
- in the case of semi-milled rice, the threshold price of milled rice adjusted by reference to the conversion rate, processing costs and the value of the by-products to be taken for conversion from the round grain milled state to the round grain semi-milled state less 0.54 ECU.

2. In order to permit the necessary checks, the documents accompanying the products must show the cif price at which the product is sold and the date of export, together with all details regarding quality enabling the product to be defined. These documents must be stamped by the competent authorities of the exporting ACP States, countries or territories.

Article 11

1. Article 13 (2) of Regulation (EEC) No 1418/76 shall not apply to the levies to be charged on imports of rice originating in the ACP States or in the countries and territories.

2. As regards such imports, however, the levy applicable, on the day of export shall be applied, if the applicant so requests when applying for the licence referred to in Article 10 (1) of Regulation (EEC) No 1418/76, to an import to be effected during the period of validity of the licence.

Article 12

Where, in the course of a year, imports into the Community of rice originating in an ACP State or in a country or territory exceed a quantity equivalent to the average quantity of annual imports into the Community of the origin in question over the last three years for which statistics are available, plus 5 %, the provisions of Article 9 shall be totally or partially suspended in respect of products of the origin in question in accordance with the procedure laid down in Article 23.

In such a case, the Commission shall report to the Council, which, acting by a qualified majority on a proposal from the Commission, shall decide on the treatment to be applied to the imports concerned.

TITLE VI

Products processed from cereals and rice

Article 13

1. The levy applicable to imports of the products listed in Annex A to Regulation (EEC) No 2727/75 and of the products listed in Article 1 (1) (c) of Regulation (EEC) No 1418/76 shall be equal to the levy applicable to imports of those products from third countries reduced by the fixed component specified for each of the products in question.

2. The variable component of the levy shall be reduced:

- by 0.181 ECU per 100 kilograms for products falling within subheading 07.06 A of the Common Customs Tariff, excluding arrowroot,
- 0.363 ECU per 100 kilograms for products falling within subheading 11.04 C of the Common Customs Tariff, excluding flour and meal of arrowroot,
- by 50 % for products falling within subheading 11.08 A V of the Common Customs Tariff, excluding arrowroot starch.

3. The variable component of the levy shall not be charged in respect of imports of:

— arrowroot falling within subheading 07.06 A of the Common Customs Tariff,

— flour and meal of arrowroot falling within subheading 11.04 C of the Common Customs Tariff,

— arrowroot starch falling within subheading 11.08 A V of the Common Customs Tariff.

TITLE VII

Fruit and vegetables

Article 14

1. The products listed below shall be imported free of customs duties:

CCT heading No	Description
07.01	Vegetables, fresh or chilled: F. Leguminous vegetables, shelled or unshelled G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex IV. Other: — Radishes (<i>Raphanus sativus</i>), known as 'Mooli' S. Sweet peppers T. Other
08.02	Citrus fruit, fresh or dried: D. Grapefruit E. Other
08.08	Berries, fresh: E. Papaws F. Other: ex II. Passion fruit
08.09	Other fruit, fresh

2. Subject to the special provisions laid down in paragraph 3, customs duties shall be reduced as follows for the products listed below:

CCT heading No	Description	Rate of reduction
07.01	Vegetables, fresh or chilled: G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex II. Carrots and turnips: — Carrots, from 1 January to 31 March	40 %

.../...

CCT heading No	Description	Rate of reduction
07.01 (cont.)	ex H. Onions, shallots and garlic: — Onions, from 15 February to 15 May	60 %
	ex K. Asparagus: — From 15 August to 31 January	40 %
	M. Tomatoes: ex I. From 1 November to 14 May (from 15 November to 30 April: within the annual limit of a Community tariff quota of 2 000 tonnes);	60 %
	Q. Mushrooms and truffles: IV. Other	40 %
08.02	Citrus fruit, fresh or dried: A. Oranges	80 %
	B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids	80 %

3. Imports of carrots falling within subheading ex 07.01 G II of the Common Customs Tariff and of onions falling within subheading ex 07.01 H of the Common Customs Tariff at the reduced rates of customs duty shown in paragraph 2 shall be subject to annual ceilings of 500 tonnes for each of these products, above which the customs duties actually applied in respect of third countries shall be restored.

TITLE VIII

Products processed from fruit and vegetables

Article 15

- The products listed in Article 1 of Regulation (EEC) No 516/77 shall be imported free of customs duties.
- Levies shall not be charged on imports of the products listed below:

CCT heading No	Description
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: I. Containing added spirit: b) Pineapples, in immediate packings of a net capacity: 1. Of more than 1 kg: aa) With a sugar content exceeding 17 % by weight 2. Of 1 kg or less: aa) With a sugar content exceeding 19 % by weight e) Other fruits: 1. With a sugar content exceeding 9 % by weight:

CCT heading No	Description
20.06 (cont.)	<p>ex aa) Of an actual alcoholic strength by mass not exceeding 11.85 % mass:</p> <ul style="list-style-type: none"> — Grapefruit segments — Passion fruit — Guavas <p>ex bb) Other:</p> <ul style="list-style-type: none"> — Grapefruit segments — Passion fruit — Guavas <p>f) Mixtures of fruit:</p> <p>1. With a sugar content exceeding 9 % by weight:</p> <p>ex aa) Of an actual alcoholic strength by mass not exceeding 11.85 % mass:</p> <ul style="list-style-type: none"> — Mixtures of pineapples, papaws and passion fruit <p>ex bb) Other:</p> <ul style="list-style-type: none"> — Mixtures of pineapples, papaws and passion fruit <p>II. Not containing added spirit:</p> <p>a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:</p> <p>2. Grapefruit segments</p> <p>5. Pineapples:</p> <p>aa) With a sugar content exceeding 17 % by weight:</p> <p>ex 8. Other fruits:</p> <ul style="list-style-type: none"> — Passion fruit — Guavas <p>9. Mixtures of fruit:</p> <p>ex aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruits:</p> <ul style="list-style-type: none"> — Mixtures of pineapples, papaws and passion fruit <p>ex bb) Other:</p> <ul style="list-style-type: none"> — Mixtures of pineapples, papaws and passion fruit <p>b) Containing added sugar, in immediate packings of a net capacity not exceeding 1 kg:</p> <p>2. Grapefruit segments</p> <p>5. Pineapples:</p> <p>aa) With a sugar content exceeding 19 % by weight</p> <p>ex 8. Other fruits:</p> <ul style="list-style-type: none"> — Passion fruit — Guavas <p>9. Mixtures of fruit:</p> <p>ex aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruits:</p> <ul style="list-style-type: none"> — Mixtures of pineapples, papaws and passion fruit <p>ex bb) Other:</p> <ul style="list-style-type: none"> — Mixtures of pineapples, papaws and passion fruit

CCT heading No	Description
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>A. Of a specific gravity exceeding 1.33 at 15 °C:</p> <p>III. Other:</p> <p>b) Of a value of 30 EUA or less per 100 kg net weight:</p> <p>ex 1. With an added sugar content exceeding 30 % by weight:</p> <ul style="list-style-type: none"> — Pineapple — Passion fruit — Guavas — Mixtures of pineapples, papaws and passion fruit <p>B. Of a specific gravity of 1.33 or less at 15 °C:</p> <p>II. Other:</p> <p>b) Of a value of 30 EUA or less per 100 kg net weight:</p> <p>5. Pineapple juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>7. Other fruit and vegetable juices :</p> <p>ex aa) With an added sugar content exceeding 30 % by weight:</p> <ul style="list-style-type: none"> — Passion fruit — Guavas <p>8. Mixtures:</p> <p>bb) Other:</p> <p>ex 11. With an added sugar content exceeding 30 % by weight:</p> <ul style="list-style-type: none"> — Pineapple, papaws and passion fruit juice

TITLE IX

Wine

Article 16

The products listed below shall be imported free of customs duties:

CCT heading No	Description
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>A. Of a specific gravity exceeding 1.33 at 15 °C:</p> <p>I. Grape juice (including grape must):</p> <p>ex a) Of a value exceeding 22 EUA per 100 kg net weight:</p> <ul style="list-style-type: none"> — With an added sugar content exceeding 30 % by weight <p>b) Of a value not exceeding 22 EUA per 100 kg net weight:</p> <p>1. With an added sugar content exceeding 30 % by weight</p>

CCT heading No	Description
20.07 (cont'd)	<p>B. Of a specific gravity of 1.33 or less at 15 °C:</p> <p>1. Grape, apple and pear juice (including grape must); mixtures of apple and pear juice:</p> <p>a) Of a value exceeding 18 EUA per 100 kg net weight:</p> <p>1. Grape juice (including grape must):</p> <p>aa) Concentrated:</p> <p>11. With an added sugar content exceeding 30 % by weight</p> <p>bb) Other:</p> <p>11. With an added sugar content exceeding 30 % by weight</p> <p>b) Of a value of 18 EUA or less per 100 kg net weight:</p> <p>1. Grape juice (including grape must):</p> <p>aa) Concentrated:</p> <p>11. With an added sugar content exceeding 30 % by weight</p> <p>bb) Other:</p> <p>11. With an added sugar content exceeding 30 % by weight</p>

TITLE X

Raw tobacco

Article 17

The tobacco products listed in Article 1 of Regulation (EEC) No 727/70 shall be imported free of customs duties.

Article 18

If serious disturbances occur as a result of a large increase in duty-free imports of products falling within heading No 24.01 of the Common Customs Tariff originating in the ACP States or in the countries and territories, or if these imports create difficulties which bring about a deterioration in the economic situation of a region of the Community, the Community may, without prejudice to Article 26, take measures to counteract any deflection of trade.

TITLE XI

Goods to which Regulation (EEC) No 1059/69 applies

Article 19

1. No fixed component shall be charged on imports of goods to which Regulation (EEC) No 1059/69 applies.
2. The variable component shall not be charged on imports of the goods listed below:

CCT heading No	Description
17.04	Sugar confectionery, not containing cocoa: C. White chocolate
18.06	Chocolate and other food preparations containing cocoa: C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa
19.02	Malt extract; preparations of flour, meal, starch of malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa: B. Other: II. Other: a) Containing no milk fats or containing less than 1.5 % by weight of such fats: 4. Containing 45 % or more but less than 65 % by weight of starch
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products: D. Other, containing by weight of starch: ex II. 50 % or more, excluding ships' biscuits
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion: B. Other: IV. Containing 50 % or more but less than 65 % by weight of starch: a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): ex 1. Containing no milk fats or containing less than 1.5 % by weight of such fats: — Biscuits V. Containing 65 % or more by weight of starch: ex a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): — Biscuits ex b) Other: — Biscuits

TITLE XII

Other markets subject to common organization

Article 20

The products covered by Regulations (EEC) No 1308/70, (EEC) No 1696/71, (EEC) No 234/68, (EEC) No 2358/71, (EEC) No 827/68 and (EEC) No 1117/78, shall be imported free of customs duties.

.../...

TITLE XIII

Provisions relating to the French overseas departments

Article 21

1. Subject to the provisions of paragraphs 2 and 3, the levies shall not be applied to direct imports into the French overseas departments of the products listed below originating in the ACP States or in the countries and territories:

CCT heading No	Description
01.02	Live animals of the bovine species: A. Domestic species: II. Other
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: II. Of bovine animals:
10.05 B	Maize
10.06 B	Rice

2. If imports into the French overseas departments of maize originating in the ACP States or in the countries and territories have exceeded 25 000 tonnes in a year, and if such imports are causing or are likely to cause serious disturbances on those markets, the Commission shall, at the request of a Member State or on its own initiative, take the necessary measures.

Any Member State may, within three working days of notification of the measure taken by the Commission, refer that measure to the Council. The Council shall meet forthwith. It may, acting by a qualified majority, amend or annul the measure in question.

3. This Article shall apply to products released for home use in the French overseas departments. Such products may not be re-exported. If necessary, measures to ensure this may be taken in accordance with the procedure laid down in Article 23.

— the variable components of levies, where the levies contain such components,

— in other cases, the levies,

applicable to imports from third countries into the Community as at present constituted.

However, during the period of application of accession compensatory amounts in trade between the Community as at present constituted and new Member States, measures to prevent deflections of trade shall be taken in accordance with the procedure laid down in Article 23, if this proves necessary.

Article 23

1. If necessary, detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 or, as the case may be, in the corresponding Articles of the other Regulations on the common organization of agricultural markets.

2. In the case of beef and veal, these detailed rules shall relate in particular to:

TITLE XIV

General and final provisions

Article 22

The reductions provided for by this Regulation shall be calculated by reference to:

- (a) the basis for calculation and the reference period to be taken into consideration for fixing the amount by which the import duties are to be reduced;
- (b) the arrangements for fixing the corresponding amount to be collected by the exporting country;
- (c) the issue of import licences;
- (d) the forms of proof acceptable and checking procedures.

Article 24

On the basis of the economic development requirements of the French overseas departments, the Council, acting by a qualified majority on a proposal from the Commission, may alter the arrangements governing access to those departments' markets for the products covered by this Regulation.

Article 25

This Regulation shall be without prejudice to the operation of Article 72 of the Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties.

Article 26

1. The safeguard clauses provided for in the Regulations on the common organization of the

agricultural markets and in the specific rules introduced as a result of the implementation of the common agricultural policy shall be applicable to the products covered by this Regulation.

2. As regards relations with the ACP States, the provisions of Regulation (EEC) No 157/76 shall apply as complementary measures, as shall the provisions which replace them upon entry into force of the Convention.

3. As regards the countries and territories, the provisions of Article 12 of Decision 76/568/EEC and of Annex III thereto shall apply as complementary measures, as shall the provisions which replace them as from the entry into force of the new Decision on the association of the countries and territories.

Article 27

This Regulation shall enter into force on 1 March 1980. It shall apply until 31 December 1980.

The Council, acting by a qualified majority on a proposal from the Commission, may decide to extend this Regulation beyond that date.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 February 1980.

For the Council

The President

G. MARCORA

.../...

ANNEX I

List of the ACP States referred to in Article 1

Bahamas	Malawi
Barbados	Mali
Benin	Mauritania
Botswana	Mauritius
Burundi	Niger
Cameroon	Nigeria
Cape Verde	Papua New Guinea
Central African Republic	Rwanda
Chad	Sao Tome and Principe
Comoros	Senegal
Congo	Seychelles
Dominica	Sierra Leone
Ethiopia	Solomon Islands
Equatorial Guinea	Somalia
Fiji	St Lucia
Gabon	St Vincent and the Grenadines ⁽¹⁾
Gambia	Sudan
Ghana	Surinam
Grenada	Swaziland
Guinea	Tanzania
Guinea Bissau	Togo
Guyana	Tonga
Ivory Coast	Trinidad and Tobago
Jamaica	Tuvalu
Jibuti	Uganda
Kenya	Upper Volta
Kiribati	Western Samoa
Lesotho	Zaire
Liberia	Zambia
Madagascar	

¹ St Vincent and the Grenadines is included in Annex I on the assumption that it will have acceded to the 1975 Convention before 1 March 1980.

ANNEX II

List of the countries and territories referred to in Article I

(This list is without prejudice to the status of these countries and territories now or in the future.)

1. Overseas countries of the Kingdom of the Netherlands:
 - the Netherlands Antilles (Aruba, Bonaire, Curaçao, St Martin, Saba, St Eustatius).
 2. Overseas territories of the French Republic:
 - Mayotte,
 - New Caledonia and dependencies,
 - Wallis and Futuna Islands,
 - French Polynesia,
 - French Southern and Antarctic Territories.
 3. Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland:
 - Belize,
 - Brunei,
 - Associated States in the Caribbean (Antigua, St Kitts, Nevis and Anguilla),
 - Cayman Islands
 - Falkland Islands and dependencies,
 - British Virgin Islands,
 - Montserrat,
 - Pitcairn,
 - St Helena and dependencies,
 - British Antarctic Territory,
 - British Indian Ocean Territory.
 4. Anglo-French Condominium of the New Hebrides.
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.../...

COUNCIL REGULATION (EEC) No 436/80

of 18 February 1980

opening, allocating and providing for the administration of a Community tariff quota for fresh or chilled tomatoes, falling within subheading ex 07.01 M 1 of the Common Customs Tariff and originating in the African, Caribbean and Pacific States (March/April 1980)

(OJ L 55/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any operation relating to the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 March to 30 April 1980, a Community tariff quota of 727 tonnes shall be opened in the Community for fresh or chilled tomatoes, falling within subheading ex 07.01 M 1 of the Common Customs Tariff and originating in the African, Caribbean and Pacific States.

Within this tariff quota, the Common Customs Tariff duty applicable to the products shall be suspended at 44 % with a minimum charge of 0.8 European units of account per 100 kilograms net weight.

2. The volume of the tariff quota referred to in paragraph 1 shall constitute a reserve.

3. If the need should arise for the products in question in a Member State, the latter shall draw an appropriate share from the reserve, providing that the size of the reserve so permits.

4. The shares drawn pursuant to paragraph 3 shall be valid until 30 April 1980.

Article 2

1. The Member States shall take all measures necessary to ensure that shares drawn pursuant to Article 1 are opened in such a way that changes may be made without interruption against their accumulated shares of the Community quota.

Whereas Article 14 of Council Regulation (EEC) No 435/80 ⁽¹⁾ provides for the opening by the Community of a Community tariff quota of 2 000 tonnes of fresh or chilled tomatoes, falling within subheading ex 07.01 M 1 of the Common Customs Tariff and originating in the African, Caribbean and Pacific States; whereas the quota period runs from 15 November to 30 April; whereas the customs duty applicable to the quota is set at 44 %, with a minimum charge of 0.8 European units of account per 100 kilograms net weight; whereas this Regulation enters into force from 1 March 1980 only; whereas, therefore, the *pro rata temporis* clause is applicable to the quota of 727 tonnes should, therefore, be opened for the period in question;

Whereas it is necessary, in particular, to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States, until the quota has been used up; whereas, however, since the tariff quota involved is of a relatively low volume and the period of application is very short, it seems possible to allocate the whole quota volume to the Community reserve and to provide for the possibility that those Member States in which needs might arise should draw appropriate quantities from the reserve; whereas the shares thus drawn from the reserve must be valid until the end of the quota period; whereas this method of management requires close cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to monitor the rate at which the quota is used up and inform the Member States thereof;

(¹) See pp. 128/129 of this compilation.

2. Member States shall ensure that importers of the said products established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 4

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is complied with.

Article 5

This Regulation shall enter into force on 1 March 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 February 1980.

For the Council

The President

G. MARCORA

COUNCIL REGULATION (EEC) No 437/80

of 18 February 1980

establishing ceilings and Community surveillance for imports of carrots and onions, falling within subheading ex 07.01 of the Common Customs Tariff and originating in the ACP States (1980) (*)

(OJ L 55/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to reintroduce customs tariff duties if one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports of the products, originating in the African, Caribbean and Pacific States, which are listed in the Annex shall be subject to ceilings and to Community surveillance.

The products referred to in the first subparagraph, their tariff headings, the customs duties applicable, the periods of validity and the levels of the ceilings are set out in the said Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which customs duties are reintroduced.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it, as defined in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

Whereas Article 14 of Regulation (EEC) No 435/80 (1) stipulates that, for the period 1 January to 31 March 1980, carrots, falling within subheading ex 07.01 G II of the Common Customs Tariff and, for the period 15 February to 15 May 1980 onions, falling within subheading ex 07.01 H of the Common Customs Tariff and originating in the African, Caribbean and Pacific States, are subject on importation into the Community to the reduced rates of duty of 10.2 and 4.8 % respectively; whereas such reduction of duties applies only to imports up to ceilings above which the customs duties actually applicable to third countries are reintroduced; whereas the aforesaid Regulation is to enter into force on 1 March 1980; whereas the *pro rata temporis* clause is, therefore, applicable to the ceilings concerned;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Community level as and when these products are entered with customs authorities for free circulation; whereas this administrative procedure must make provision for the possible reintroduction of customs tariff duties as soon as the ceilings are reached at Community level;

(*) See also p. 158 of this compilation.

(1) See pp. 123, 128 and 129 of this compilation.

3. As soon as a ceiling has been reached, the Commission, shall adopt a Regulation reintroducing, until the end of its period of validity, the customs duties applicable to third countries.

4. Member States shall send the Commission statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 3

This Regulation shall enter into force on 1 March 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 February 1980.

For the Council

The President

G. MARCORA

ANNEX

Order No	CCT heading No	Description	Customs duty applicable	Level of ceiling (tonnes)
ACP 1	07.01	Vegetables, fresh or chilled: G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex II. Carrots and turnips: — Carrots, from 1 March to 31 March	10.2 %	166
ACP 2		ex H. Onions, shallots and garlic: — Onions, from 1 March to 15 May	4.8% (*)	416

(*) See Corrigendum which appeared in OJ No L 72, 18.3.1980, p. 22.

.../...

EUROPEAN INVESTMENT BANK

20 March 1980

BOARD OF GOVERNORS

CONTINUATION OF OPERATIONS BY THE BANK FINANCED FROM ITS OWN RESOURCES
IN THE ACP STATES AND THE OCT AFTER EXPIRY
OF THE FIRST CONVENTION OF LOME

Decision of 18 March 1980 with effect from 1 March 1980 (*)

The BOARD OF GOVERNORS, acting unanimously on a proposal by the Board of Directors pursuant to Article 18(1), second paragraph of the Statute,

DECIDES to authorize the Bank to continue to provide assistance for the financing of investment projects in the ACP States and the associated Overseas Countries and Territories, within the limit of non-earmarked amounts out of the maximum of 400 MUA fixed by the Council of Governors on 9 December 1974 as part of the terms laid down in the 1st Lomé Convention on 28 February 1975 and in the Decision of 29 June 1976 on the Association of the OCT and the texts annexed thereto, in particular Article 9 of the Internal Financing Agreement of 11 July 1975, until such time as the new Lomé Convention between the European Community and the African, Caribbean and Pacific States and a new Decision on the associated Overseas Countries and Territories come into force.

(*) See footnote (*) p. 117 of this Compilation.

.../...

IV. COMMUNITY ACTS RELATING TO IMPLEMENTATION OF THE
LOME CONVENTION

A. ACCESSIONS

.../...

COUNCIL REGULATION (EEC) No 279/80

of 5 February 1980

amending the list of countries and territories in Regulation (EEC) No 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (*)

(OJ L 31/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 3058/75⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽³⁾,

Whereas Regulation (EEC) No 706/76⁽⁴⁾ laid down the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas Saint Lucia and the Gilbert Islands, which appear in the list of countries and territories set out in Annex I to that Regulation, have become independent;

Whereas these States acceded to the ACP-EEC Convention of Lomé⁽⁵⁾ on 28 June and 30 October 1979 and should consequently be counted among the ACP States referred to in Article 1 of Regulation (EEC) No 706/76; whereas the list in Annex I to that Regulation should, therefore, be amended,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Regulation (EEC) No 706/76, the words 'Saint Lucia' and 'Gilbert Islands' are deleted.

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 5 February 1980.

For the Council

The President

G. ZAMBERLETTI

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- (1) OJ No L 141, 12.6.1969, p. 1.
(2) OJ No L 306, 26.11.1975, p. 3.
(3) Opinion delivered on 18 January 1980 (not yet published in the Official Journal)
(4) OJ No L 85, 31.3.1976, p. 2.
(5) OJ No L 25, 30.1.1976, p. 2.

(*) See instruments of accession and Decisions on provisional application of the OCT Decision after independence, pp. 83, 84, 89 and 91 respectively of the previous Compilation (ACP, Vol. IV). See also p. 207 of this Compilation.

COUNCIL REGULATION (EEC) No 3550/80

of 16 December 1980

concluding the Interim Agreement between the European Economic Community and the
Republic of Zimbabwe (*)
(OJ L 372/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

and the declarations annexed to the Final Act are
hereby approved on behalf of the Community.

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 113
thereof,

The texts referred to in the first paragraph are annexed
to this Regulation.

Having regard to the recommendation from the
Commission,

Whereas pending the entry into force of the Agreement
signed at Luxembourg on 4 November 1980, on the
accession of the Republic of Zimbabwe to the Second
ACP-EEC Convention signed at Lomé on 31 October
1979, the Interim Agreement between the European
Economic Community and the Republic of Zimbabwe
signed at Luxembourg on 4 November 1980 should be
approved,

Article 2

The President of the Council shall give the notification
provided for in Article 5 of the Interim Agreement ⁽¹⁾.

HAS ADOPTED THIS REGULATION:

Article 1

The Interim Agreement between the European
Economic Community and the Republic of Zimbabwe

Article 3

This Regulation shall enter into force on 1 January
1981.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 16 December 1980.

For the Council

The President

Colette FLESCH

⁽¹⁾ The date of entry into force of the Agreement will be
published in the *Official Journal of the European
Communities* by the General Secretariat of the Council.

(*) See pp. 17, 93, 149 and 150 of this Compilation.

COUNCIL REGULATION (EEC) No 3551/80

of 16 December 1980

on the advance application of certain trade provisions of the Second ACP-EEC Convention
in respect of Zimbabwe (*)

(OJ L 372/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community and Zimbabwe signed an Interim Agreement on 4 November 1980 governing trade arrangements pending the entry into force of the Agreement signed on 4 November 1980 on the accession of the Republic of Zimbabwe to the Second ACP-EEC Convention, signed at Lomé on 31 October 1979;

Whereas it is consequently desirable to extend the application of the trade arrangements in force between the Community and the ACP States to Zimbabwe; whereas these arrangements should replace those accorded autonomously by the Community under Council Regulation (EEC) No 120/80 of 21 January 1980 on trade arrangements between Southern Rhodesia and the European Economic Community (1),

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to

agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (2), 'Zimbabwe' shall be added after Zambia.

Article 2

Council Regulation (EEC) No 1470/80 of 9 June 1980 on the safeguard measures provided for in the Second ACP-EEC Convention (3) shall also apply to Zimbabwe.

Article 3

Council Regulation (EEC) No 1711/80 of 27 June 1980 opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States (1980/81) (4), shall also apply to Zimbabwe.

Article 4

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply until the Agreement whereby Zimbabwe accedes to the Second ACP-EEC Convention enters into force.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 16 December 1980.

For the Council

The President

Collette FLESCHE

(1) OJ No L 16, 22. 1. 1980, p. 12.

(2) OJ No L 35, 28. 2. 1980, p. 4.

(3) OJ No L 147, 13. 6. 1980, p. 4.

(4) OJ No L 167, 1. 7. 1980, p. 45.

(*) See pp. 17, 93, 148 and 150 of this Compilation.

DECISION
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES
OF THE EUROPEAN COAL AND STEEL COMMUNITY MEETING WITHIN THE
COUNCIL

of 16 December 1980

opening tariff preferences for products within the province of that Community and
originating in Zimbabwe (*)
(OJ L 372/80)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY

Whereas the abovementioned Member States concluded
amongst themselves the Treaty establishing the
European Coal and Steel Community;

Whereas the Interim Agreement between the European
Economic Community and the Republic of Zimbabwe
is to enter into force on 1 January 1981;

Whereas a parallel Agreement between the Member
States of the European Coal and Steel Community and
the Republic of Zimbabwe has been submitted for the
approval of each signatory State in accordance
with its own constitutional rules;

Anxious to apply concomitantly the tariff
provisions laid down in the said Agreement;
In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

As from the date of entry into force of the
Interim Agreement between the European Economic
Community and the Republic of Zimbabwe and until
the entry into force of the Agreement on products

within the province of the European Coal and Steel
Community, signed on 4 November 1980 but at the
latest until 31 December 1981, the abovementioned
products shall be admitted for import into the
Community, when they originate in Zimbabwe, free of
customs duties and charges having equivalent effect.

Article 2

The provisions laying down the rules of origin for the
application of the Interim Agreement shall also apply to
this Decision.

Article 3

The Member States shall decide by mutual agreement
on any protective measures suggested by one or more
Member States and/or the Commission.

Article 4

The Member States shall take the measures necessary to
implement this Decision.

Done at Brussels, 16 December 1980.

The President

Colene FLESCH

(*) See also pp. 17, 93, 148 and 149 of this Compilation.

IV. COMMUNITY ACTS RELATING TO IMPLEMENTATION
OF THE LOME CONVENTION

B. TRADE

.../...

COUNCIL REGULATION (EEC) No 1470/80

of 9 June 1980

on the safeguard measures provided for in the second ACP-EEC Convention (*)
(OJ L 147/80)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 113
thereof,

Having regard to the proposal from the Commission,

Whereas the detailed rules for implementing the safe-
guard clauses provided for in Chapter I of Title I of
the second ACP-EEC Convention signed in Lomé on
31 October 1979 (hereinafter called 'the Convention')
should be such as to enable the Community and the
Member States to comply with the obligations they
have assumed in this connection;

Whereas this Regulation lays down specific provisions
in relation to the general rules provided for in par-
ticular in Council Regulation (EEC) No 926/79 of 8
May 1979 on common rules for imports⁽¹⁾ in so far as
this is made necessary by the provisions of the
Convention;

Whereas, when examining whether a safeguard
measure should be introduced, account should be
taken of the undertakings given in Articles 12 (2) (3)
and (4) and 15 of the Convention and in the Commu-
nity declaration on Article 12 (3);

Whereas the procedures concerning the safeguard
clauses provided for in the Treaty establishing the
European Economic Community and in the Regula-
tions on the common organization of agricultural
markets are also applicable;

Whereas these provisions replace those of Council
Regulation (EEC) No 157/76 of 20 January 1976 on
the safeguard measures provided for in the ACP-EEC
Convention of Lomé⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. Where a Member State asks the Commission to
apply safeguard measures as provided for in Article 12
of the Convention, the Commission shall inform the
Council within three working days of the action
which it intends to take on this request.

If the Commission decides not to apply safeguard
measures, any Member State may refer this decision to

⁽¹⁾ OJ No L 131, 29. 5. 1979, p. 15.

⁽²⁾ OJ No L 18, 27. 1. 1976, p. 1.

the Council within 10 working days of notification of
the Commission's position. The Council shall meet
without delay. Acting by a qualified majority, it may
amend the decision taken by the Commission.

2. Where the Commission, at the request of a
Member State or on its own initiative decides that safe-
guard measures as provided for in Article 12 of the
Convention should be applied:

- it shall inform the Member States forthwith,
- at the same time it shall inform the ACP States
and shall notify them of the opening of the consul-
tations referred to in Article 13 (1) of the Conven-
tion,
- at the same time it shall also supply the ACP
States with all the information necessary for these
consultations.

3. The Commission shall be assisted during the
consultations by a Committee composed of representa-
tives of the Member States and chaired by a Commis-
sion representative.

The consultations shall at all events be deemed
completed after 21 days have succeeded the notifica-
tion provided for in paragraph 2.

Following the consultations, or as the case may be, on
expiry of this period of 21 days, and if it has not been
possible to conclude any other arrangement, the
Commission may take appropriate measures to imple-
ment Article 12 of the Convention.

4. These measures shall be notified immediately to
the Member States and to the ACP States.

They shall be applicable immediately.

5. Any Member State may refer a Commission deci-
sion adopted pursuant to paragraph 3 to the Council
within 10 working days of notification of these
measures.

6. If the Commission has not taken a decision
within 10 working days following the end of the
consultations or, as the case may be, the end of the
period of 21 days, any Member State which has
referred the matter to the Commission in accordance
with paragraph 1 may refer it to the Council.

7. In the cases referred to in paragraphs 5 and 6 the
Council shall meet without delay. Acting by a quali-

(*) Advance application of Lomé II, see p. 115 of this Compilation.

fied majority, it may confirm, amend or annul the measures in question.

8. This Article shall apply without prejudice to Articles 2 and 3.

Article 2

1. Should special factors arise within the meaning of Article 13 (3) of the Convention, the Commission may take, or may authorize a Member State to take, immediate safeguard measures.

2. If the Commission receives a request from a Member State, it shall take a decision thereon within three working days following receipt of the request.

The Commission's decision shall be notified to all Member States.

3. Any Member State may refer the Commission's decision to the Council in accordance with the procedure provided for in Article 1 (5).

The measures taken by a Member State in implementation of the decision of the Commission or, as the case may be, of the Council, and any amendment which it makes thereto, shall be notified to the other Member States and to the Commission.

Article 3

1. Without prejudice to the application of Articles 1 and 2, the Member State or States concerned may, in an emergency, introduce safeguard measures. They shall notify the other Member States and the Commission of such measures forthwith.

Using an emergency procedure the Commission shall, within five working days following the notification referred to in the first subparagraph, decide whether the measures are to be retained, amended or abolished.

The Commission's decision shall be notified to all Member States. It shall be immediately enforceable.

2. Any Member State may refer the Commission's decision to the Council within 10 working days following notification of that decision. The Council shall meet without delay. Acting by a qualified majority, it may amend or annul the decision taken by the Commission.

If the matter is referred to the Council by the Member State which has taken the measures, the Commission's decision shall be suspended. The suspension shall cease to apply 30 days after the matter has been referred to the Council if the latter has not by then amended or annulled the Commission's decision.

Article 4

This Regulation shall not preclude the application of Regulations establishing a common organization of agricultural markets or of Community or national administrative provisions derived therefrom or of the specific rules adopted under Article 235 of the Treaty for processed agricultural products; it shall be implemented as a complement to those instruments.

Article 5

Community notifications, as provided for in Article 12 of the Convention, shall be made to the ACP-EEC Council of Ministers by the Commission.

Article 6

Regulation (EEC) No 157/76 is hereby repealed.

Article 7

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 9 June 1980.

For the Council

The President

F. PANDOLFI

COMMISSION REGULATION (EEC) No 2118/80

of 30 July 1980

on measures concerning imports of rice and broken rice originating in the African, Caribbean and Pacific States or the overseas countries and territories
(OJ L 206/80)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or the overseas countries and territories⁽¹⁾, and in particular Article 23 thereof,

Having regard to Council Regulation (EEC) No 878/77 of 26 April 1977 on the exchange rates to be applied in agriculture⁽²⁾, as last amended by Regulation (EEC) No 1336/80⁽³⁾ and in particular Article 4 (*), (3) thereof,

Whereas, with effect from the 1980/81 marketing year, a system of prices has been introduced common to the varieties of round grain and long grain rice; whereas the corrective amounts intended to cover the difference in value between the various varieties of long grain rice and the variety of round grain rice corresponding to the standard quality have been discontinued with effect from 1 September 1980;

Whereas correct application of Article 10 of Regulation (EEC) No 435/80 means that the cif export prices for the various qualities of rice must be rendered comparable to the standard quality in respect of which the threshold price is fixed before the adjustments provided for in that Article are made; whereas, to that end, it is necessary to apply the corrective amounts provided for in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁴⁾, as last amended by Regulation (EEC) No 2117/80⁽⁵⁾;

Whereas Article 10 of Regulation (EEC) No 435/80 provides that, in order to be eligible for a reduced levy on import into the Community, rice originating in the ACP States and in the overseas countries and territories must, after application of that levy to the cif

export price, reach a minimum level corresponding to the threshold price, less a certain amount; whereas, in order that the system may operate correctly, it is necessary, at the time when observance of the minimum level is being checked, to have rules sufficiently firm to ensure that the objective contained in the agreements binding the Community to the ACP States and to the overseas countries and territories may not be jeopardized by alterations in conversion rates;

Whereas this Regulation incorporates the provisions of Commission Regulation (EEC) No 2849/75⁽⁶⁾, as amended by Regulation (EEC) No 1606/80⁽⁷⁾; whereas the said Regulation should accordingly be repealed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 10 of Regulation (EEC) No 435/80, the cif export price of a given lot of rice or broken rice, before being increased by the levy, shall be adjusted in accordance with the following rules:

1. If the cif export price relates to a product in sacks, that price shall be decreased by 7.25 ECU per tonne.
2. In the case of the Makalioka, Vary Lava, Surinam and Alicambo qualities, the cif export price shall be adjusted:
 - (a) as regards the Makalioka or Vary Lava quality by increasing it by:
 - 3.87 ECU per tonne of rice presented in the form of paddy rice,
 - 4.84 ECU per tonne of rice presented in the form of husked rice,
 - 6.54 ECU per tonne of rice presented in the form of semi-milled rice,
 - 7.01 ECU per tonne of rice presented in the form of wholly-milled rice;

(1) See p. 123 of this Compilation.

(2) OJ No L 106, 29.4.1979, p. 27.

(3) OJ No L 140, 5.6.1980 (*).

(4) OJ No L 168, 27.7.1971, p. 28.

(5) See page 15 of this Official Journal.

(6) OJ No L 283, 1. 11. 1975, p. 48.

(7) OJ No L 160, 26. 6. 1980, p. 40.

(*) See Corrigendum which appeared in OJ No L 224, 27.8.1980, p. 17.

(b) as regards the Surinam and Alicambo qualities, by decreasing it :

- as regards rice presented in the form of paddy rice, by :
 - 10.64 ECU per tonne of rice of the Surinam quality,
 - 20.31 ECU per tonne of rice of the Alicambo quality,
- as regards rice presented in the form of husked rice, by :
 - 13.30 ECU per tonne of rice of the Surinam quality, . .
 - 25.39 ECU per tonne of rice of the Alicambo quality,
- as regards rice presented in the form of semi-milled rice, by :
 - 17.97 ECU per tonne of rice of the Surinam quality,
 - 34.32 ECU per tonne of rice of the Alicambo quality,
- as regards rice presented in the form of wholly-milled rice, by :
 - 19.27 ECU per tonne of rice of the Surinam quality,
 - 36.79 ECU per tonne of rice of the Alicambo quality.

3. In the case of the qualities of rice originating in the ACP States and in the overseas countries and territories other than those listed in paragraph 2, the cif export price shall be adjusted :

(a) as regards round grain rice, by applying :

- in the case of husked rice, the corrective amount referred to in Annex I to Regulation (EEC) No 1613/71,
- in the case of rice presented in a form other than husked, the corrective amount referred to in Annex I to Regulation (EEC) No 1613/71, this amount having previously been multiplied by the coefficient of :
 - 0.8000 for a paddy rice,
 - 1.2121 for a semi-milled rice,
 - 1.2903 for a wholly-milled rice ;

(b) as regards long grain rice :

- in the case of husked rice, by applying the corrective amount referred to in Annex II to Regulation (EEC) No 1613/71,

— in the case of rice presented in a form other than husked, by applying the corrective amount referred to in Annex II to Regulation (EEC) No 1613/71, this amount having previously been multiplied by the coefficient of :

- 0.8000 for a paddy rice,
- 1.3513 for a semi-milled rice,
- 1.4493 for a wholly-milled rice ;

(c) as regards broken rice, by applying the corrective amount referred to in Annex III to Regulation (EEC) No 1613/71.

Article 2

For the purposes of Article 10 of Regulation (EEC) No 435/80, the rate to be used for converting the cif export price into the national currency of the importing Member State shall be the spot rate for the sale of that currency ascertained on the currency market of the importing Member State on the day of export.

Where use is made of the advance fixing provision of Article 11 (2) of Regulation (EEC) No 435/80, the representative rate to be used for converting the levy into national currency shall be that valid on the day when the import licence application is lodged.

In cases where, between the day when the application was lodged and the day on which import customs formalities are completed, a change in the representative rate occurs that was not known on the day of advance fixing, the levy referred to in the preceding subparagraph shall, by way of derogation from the provisions of Article 4 of Council Regulation (EEC) No 1134/68⁽¹⁾, not be adjusted.

Article 3

Regulation (EEC) No 2849/75 is hereby repealed with effect from 1 September 1980.

Article 4

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 September 1980.

⁽¹⁾ OJ No L 188, 1. 8. 1968, p. 1.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 30 July 1980.

For the Commission

Finn GUNDELACH

Vice-President

.../...

COMMISSION REGULATION (EEC) No 2850/80
of 31 October 1980

establishing ceilings and Community surveillance for imports of carrots and onions, falling within heading No ex 07.01 of the Common Customs Tariff and originating in the ACP States (1981) (*)
(OJ L 296/80)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and the overseas countries and territories (1), and in particular Article 23,

Whereas Article 14 of Regulation (EEC) No 435/80 stipulates that, for the period 1 January to 31 March, carrots, falling within subheading ex 07.01 G II of the Common Customs Tariff and, for the period 15 February to 15 May, onions, falling within subheading ex 07.01 H of the Common Customs Tariff and originating in the African, Caribbean and Pacific States, are subject on importation into the Community to the reduced rates of duty of 10.2 and 4.8 % respectively; whereas such reduction of duties applies only to imports up to ceilings above which the customs duties actually applicable to third countries are reintroduced;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Community level as and when these products are entered with customs authorities for free circulation; whereas this administrative procedure must make provision for the possible reintroduction of customs tariff duties as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the

progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to reintroduce customs tariff duties if one of the ceilings is reached;

Whereas the Management Committee for Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports of the products, originating in the African, Caribbean and Pacific States, which are listed in the Annex shall be subject to ceilings and to Community surveillance.

The products referred to in the first subparagraph, their tariff headings, the customs duties applicable, the periods of validity and the levels of the ceilings are set out in the said Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which customs duties are reintroduced.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it, as defined in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

3. As soon as a ceiling has been reached, the Commission shall adopt a Regulation reintroducing, until the end of its period of validity, the customs duties applicable to third countries.

(*) See also p. 140 of this Compilation.

(1) See pp. 123, 128/129 of this Compilation.

In the case of such a reintroduction Greece introduces the levying of the duties which it applies to third countries at the date in question.

4. Member States shall send the Commission statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 3

This Regulation shall enter into force on 1 January 1981.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 October 1980.

For the Commission

Etienne DAVIGNON

Member of the Commission

ANNEX

Order No	CCT heading No	Description	Customs duty applicable	Level of ceiling (tonnes)
ACP 1	07.01	Vegetables, fresh or chilled: G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex II. Carrots and turnips: — Carrots, from 1 January to 31 March 1981	10.2 %	500
		ex H. Onions, shallots and garlic: — Onions, from 15 February to 15 May 1981	4.8 %	500
ACP 2				

.../...

RÈGLEMENT (CEE) N° 3486/80 DU CONSEIL

du 22 décembre 1980

prorogeant l'application du règlement⁽¹⁾ (CEE) n° 435/80 relatif au régime applicable à des produits agricoles et à certaines marchandises résultant de la transformation de produits agricoles originaires des États d'Afrique, des Caraïbes et du Pacifique ou des pays et territoires d'outre-mer
(OJ L 365/80)

LE CONSEIL DES COMMUNAUTÉS EUROPÉENNES,

vu le traité instituant la Communauté économique européenne,

vu le règlement (CEE) n° 435/80 du Conseil, du 18 février 1980, relatif au régime applicable à des produits agricoles et à certaines marchandises résultant de la transformation de produits agricoles originaires des États d'Afrique, des Caraïbes et du Pacifique ou des pays et territoires d'outre-mer⁽¹⁾, et notamment son article 27,

vu la proposition de la Commission,

considérant que l'application du règlement (CEE) n° 435/80 est limitée au 31 décembre 1980, date présumée de l'entrée en vigueur de la deuxième convention ACP-CEE et de la nouvelle décision du Conseil relative à l'association à la Communauté économique européenne des pays et territoires d'outre-mer;

considérant que la convention et la décision entreront en vigueur à cette date; qu'il convient dès lors de proroger l'applicabilité du règlement (CEE) n° 435/80 pour toute la durée de la convention et de la décision,

A ARRÊTÉ LE PRÉSENT RÈGLEMENT:

Article premier

À l'article 27 du règlement (CEE) n° 435/80, la date du 31 décembre 1980 est remplacée par celle du 28 février 1985.

Article 2

Le présent règlement entre en vigueur le 1^{er} janvier 1981.

Le présent règlement est obligatoire dans tous ses éléments et directement applicable dans tout État membre.

Fait à Bruxelles, le 22 décembre 1980.

Par le Conseil

Le président

J. SANTER

⁽¹⁾ See p. 123 of this Compilation.

COMMISSION DECISION

of 25 September 1980

authorizing the United Kingdom to take interim protective measures with regard to fresh bananas originating in certain third countries (*)

(Only the English text is authentic)

(80/949/EEC)

(OJ L 267/80)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/776/EEC of 29 July 1980 authorizing the United Kingdom to take intra-Community surveillance measures in respect of imports of bananas originating in certain third countries and put into free circulation in the other Member States (1),

Whereas on 18 September 1980 a request was made under the first paragraph of Article 115 of the Treaty by the United Kingdom to the Commission of the European Communities for authorization not to apply Community treatment to fresh bananas falling within subheading 08.01 B I of the Common Customs Tariff, originating in certain dollar area countries (2) and in free circulation in the other Member States;

Whereas there are still disparities between Member States as regards the commercial measures applied to bananas originating in the abovementioned countries;

Whereas the first article of Protocol 4 to the Lomé Convention signed on 31 October 1979 and put into effect unilaterally by the Community from 1 March 1980 provides that 'as regards its exports of bananas to the markets of the Community, no ACP State will be placed, as regards access to its traditional markets and its advantages on those markets, in a less favourable situation than in the past or at present';

Whereas to fulfil that requirement the United Kingdom, which constitutes a major traditional market for certain ACP States, still makes imports of bananas originating in other third countries subject to quantitative restrictions;

Whereas, for the direct import of bananas originating in the dollar area, the United Kingdom has a basic

annual quota of 4 000 tonnes and additional imports are authorized on the basis of market requirements not covered by bananas originating in ACP countries;

Whereas as information received by the Commission shows that in the United Kingdom, imports originating in ACP countries rose to 118 156 tonnes during the first seven months of 1980 and that in the same period imports from the dollar area countries were 67 286 tonnes, of which 29 145 tonnes were in free circulation;

Whereas it is necessary for the Commission to have more exact information on the export possibilities of the ACP and PTOM countries, the traditional suppliers of the United Kingdom, having regard in particular to the natural catastrophes which have recently befallen some of these countries;

Whereas an application is pending before the United Kingdom authorities for an import licence for 500 tonnes per week for the period 22 October 1980 to 31 December 1981, giving a global quantity of 33 500 tonnes, of fresh bananas originating in Costa Rica and Guatemala and in free circulation in Belgium;

Whereas the acceptance of such an application is conditional on the verification of the abovementioned information;

Whereas it is nevertheless, necessary to authorize interim protective measures under the first paragraph of Article 115 to allow this verification,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is authorized to suspend until a later Decision of the Commission and at the latest

(1) OJ No L 224, 27. 8. 1980, p. 15.

(2) Bolivia, Canada, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Philippines, Venezuela, the United States.

(*) See also p. 163 of this Compilation.

until 20 October 1980, the grant of import licences, for the products mentioned below originating in the third countries indicated in the Annex and in free circulation in the other Member States, for which applications were lodged after 14 September 1980.

CCT heading No	Description
08.01 B I	Fresh bananas

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 25 September 1980.

For the Commission

Wilhelm HAERKAMP

Vice-President

ANNEX

Countries mentioned in Article 1 :

Bolivia, Canada, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Philippines, Venezuela, the United States.

COMMISSION DECISION

of 28 November 1980

authorizing the United Kingdom not to apply Community treatment to fresh bananas originating in certain third countries (*)

(Only the English text is authentic)

(80/1158/EEC)
(OJ L 343/80)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 115 thereof,

Whereas, Commission Decision 80/776/EEC of 29 July 1980 ⁽¹⁾, authorized the United Kingdom to take intra-Community surveillance measures in respect of imports of bananas originating in certain third countries and put into free circulation in the other Member States;

Whereas, on 18 September 1980, a request was made under the first paragraph of Article 115 of the Treaty by the United Kingdom to the Commission of the European Communities for authorization not to apply Community treatment to fresh bananas, falling within subheading 08.01 B I of the Common Customs Tariff, originating in certain dollar-area countries ⁽²⁾ and in free circulation in the other Member States; whereas, pending the receipt of fuller information, the Commission adopted Decision 80/949/EEC of 29 September 1980 ⁽³⁾ and Decision 80/1088/EEC of 20 October 1980 ⁽⁴⁾ authorizing the United Kingdom to take interim protective measures in respect of such imports;

Whereas the first Article of Protocol 4 to the Lomé Convention signed on 31 October 1979 and put into effect unilaterally by the Community from 1 March 1980 provides that 'as regards its exports of bananas to the markets of the Community, no ACP State will be placed, as regards access to its traditional markets and its advantages on those markets, in a less favourable situation than in the past or at present';

Whereas to fulfil that requirement the United Kingdom, which constitutes a major traditional market for certain ACP States and OCT, still makes imports of bananas originating in dollar-area third countries subject to quantitative restrictions, while other Member States apply different arrangements;

Whereas for the same reason the Government of the United Kingdom sees to it that United Kingdom

importers take all bananas offered for export by ACP States and OCT which are its traditional suppliers, and only turn to other sources to cover any additional market requirements;

Whereas this system cannot be applied to imports under the free circulation rules of bananas originating in dollar-area countries;

Whereas, in consequence, unrestricted free circulation would jeopardize the market balance which the above-mentioned measures are designed to achieve;

Whereas imports of bananas originating in the ACP States and OCT amounted to 252 341 tonnes in 1978, 213 103 tonnes in 1979 and 118 156 tonnes in the first seven months of 1980;

Whereas, owing to the natural disasters which hit them in July 1980, certain ACP States and OCT will be unable to export to the United Kingdom market for some time;

Whereas, by virtue of Protocol 4 to the Lomé Convention, those countries must nevertheless be able to recover their traditional access to and advantages on the United Kingdom market when the new crop is ready for export in 1981;

Whereas this might be difficult if unrestricted free circulation over the next few months established new trade patterns for United Kingdom imports;

Whereas in recent years the United Kingdom Government has, however, habitually authorized free circulation imports of bananas originating in dollar-area countries; whereas the British authorities consider that the following quantities of bananas originating in dollar-area countries have been imported under free circulation:

6 675 tonnes for the period 1 October 1978 to 30 September 1979,
9 290 tonnes for the period 1 October 1979 to 30 September 1980;

Whereas these quantities represent approximately 8 % of the direct imports from the same countries during the same periods;

Whereas the United Kingdom should therefore be authorized to apply protective measures under the first

⁽¹⁾ OJ No L 224, 27. 8. 1980, p. 15.

⁽²⁾ Bolivia, Canada, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, the Philippines, Venezuela, The United States of America.

⁽³⁾ OJ No L 267, 10. 10. 1980, p. 35.

⁽⁴⁾ OJ No L 320, 27. 11. 1980, p. 35.

(*) See also p. 161 of this Compilation

paragraph of Article 115 of the Treaty while maintaining the traditionally accepted level of free circulation imports, amounting on average to 8 % of direct imports,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is hereby authorized not to apply Community treatment to fresh bananas falling within heading No 08.01 of the Common Customs Tariff, originating in the third countries listed in the Annex hereto and in free circulation in the other Member States. This authorization shall not apply to a quantity corresponding to 8 % of direct imports originating in such countries and considered necessary to cover the requirements of the United Kingdom market for the period 1 October 1980 to 31 May 1981, which are not covered by direct imports from ACP States and OCT.

The said quantity shall be allocated among applicants for import authorization in accordance with the

criteria and practices habitually followed by the competent authorities.

Article 2

This Decision shall apply from 14 September 1980 until 31 May 1981.

Article 3

The United Kingdom shall inform the Commission of the application of this authorization.

Article 4

This Decision is addressed to the United Kingdom.

Done at Brussels, 28 November 1980.

For the Commission

Etienne DAVIGNON

Member of the Commission

ANNEX

Third countries referred to in Article 1

Bolivia, Canada, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, the Philippines, Venezuela, the United States of America.

COUNCIL REGULATION (EEC) No 438/80

of 18 February 1980

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia, falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States (March/June 1980) (*) (**)

(OJ L 55/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Convention of Lomé signed on 28 February 1975 expires on 29 February 1980; whereas, pending the entry into force of the second ACP-EEC Convention signed at Lomé on 31 October 1979, it is appropriate to apply the provisions of Protocol 5 to the latter Convention in advance, from 1 March 1980; whereas that Protocol provides that, until the entry into force of a common organization of the market in spirits, products of subheading 22.09 C I originating in the ACP States, shall be imported duty-free into the Community under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall each year fix the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the last three years for which statistics are available, increased by an annual growth rate of 40 % on the market of the United Kingdom and 18 % on the other markets of the Community, these growth rates being based on foreseeable internal demand in each Member State;

Whereas the levels reached by imports of the products concerned into the Community and the Member States during the last three years for which statistics are available should be taken into consideration;

Whereas the first quota period should end on 30 June 1980 and a *pro rata temporis* reduction of the quota volume to four-twelfths should, therefore, be introduced; whereas the size of the tariff quota for the period 1 March to 30 June 1980 should, therefore, be fixed at 59 433 hectolitres of pure alcohol;

Whereas the above principles also apply to the allocation of the tariff quota;

Whereas it seems likely that arrangements for using the Community tariff quota based on allocation between the United Kingdom and the other Member States would reconcile the application of the growth rates provided for in Protocol 5 with the uninterrupted application of the duty-free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the quota is exhausted; whereas, in order to reflect as closely as possible the actual trends on the markets in the products concerned, such allocation should be made in accordance with the requirements of the Member States; whereas the tariff quota should be allocated among the Member States on the basis of the largest quantities imported annually into each Member State during the past three years, taking into account the abovementioned growth rates;

Whereas measures should be laid down to ensure that Protocol 5 is implemented under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States;

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division among Member States;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are jointly represented by the Benelux Economic Union, any measure concerning the administration of the share allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 March until 30 June 1980, rum, arrack and tafia, falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States, shall be imported duty-free into the Community within the limits of a Community tariff quota of 59 433 hectolitres of pure alcohol.

(*) advance application of Protocol No. 5, Lomé II - see p. 115 of this Compilation.

(**) see also p. 167 of this Compilation.

.../...

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. The first instalment, of 40 856 hectolitres of pure alcohol, shall be for United Kingdom consumption. The second instalment, of 18 577 hectolitres of pure alcohol, shall be allocated among the other Member States.

2. The shares of each of the Member States to which the second instalment is allocated pursuant to paragraph 1 shall consist of the following quantities:

	(in hectolitres of pure alcohol)
Benelux	2 370
Denmark	1 276
Germany	11 647
France	2 211
Ireland	927*
Italy	146

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.

2. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the products in question, originating in the ACP States, entered for free circulation.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 February 1980.

Article 4

1. Member States shall inform the Commission each month of imports actually charged against the tariff quota.

2. The United Kingdom shall take the steps necessary to ensure that the quantities imported from the ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.

3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.

4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP—EEC Convention of Lomé⁽¹⁾ shall apply in respect of the products covered by this Regulation.

Article 7

This Regulation shall enter into force on 1 March 1980.

For the Council

The President

G. MARCORA

⁽¹⁾ OJ No L 18, 27. 1. 1976, p. 1.

COUNCIL REGULATION (EEC) No 1711/80

of 27 June 1980

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States (1980/81) (*)

(OJ L 167/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas a new Convention was signed on 31 October 1979 between the European Economic Community and the African, Caribbean and Pacific States; whereas pending the entry into force of that Convention it is appropriate to apply in advance, for the period 1 July 1980 to 30 June 1981, the provisions of Protocol 5 thereto; whereas that Protocol provides that products originating in the ACP States which fall within subheading 22.09 C I of the Common Customs Tariff shall, until the entry into force of a common organization of the market in spirits, be allowed into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the past three years for which statistics are available, increased by an annual growth rate of 40 % on the market of the United Kingdom and 18 % on the other markets of the Community;

Whereas, having regard to the levels reached by imports of the products concerned into the Community and the Member States during the past three years for which statistics are available, the size of the tariff quota for the period 1 July 1980 to 30 June 1981 should be fixed at 178 300 hectolitres of pure alcohol;

Whereas, during the past three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from the countries in question of the products concerned:

Member States	1977	1978	1979
Benelux	4.5	4.6	3.7
Denmark	1.9	1.2	1.3
Germany	18.3	22.8	18.7
France	5.3	2.0	2.2
Ireland	1.8	1.8	1.8
Italy	0.2	0.3	0.3
United Kingdom	68.0	67.3	72.0

Whereas, in view of these factors, of market forecasts for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

Benelux	4.28
Denmark	1.37
Germany	20.03
France	3.05
Ireland	1.80
Italy	0.30
United Kingdom	69.17

Whereas an arrangement for using the Community tariff quota based on an allocation between the United Kingdom on the one hand and the other Member States on the other would seem likely to reconcile the application of the growth rates provided for in Protocol 5 with the uninterrupted application of the duty-free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the quota is exhausted; whereas, in order to reflect as closely as possible the actual trends on the markets in the products concerned, such allocation should be made in accordance with the requirements of the Member States; whereas in this case the tariff quota should be allocated amongst the Member States on the basis of the largest quantities imported annually into each Member State during the past three years and taking into account the abovementioned growth rates;

Whereas measures should be laid down to ensure that Protocol 5 is implemented under conditions such as to

(*) See also p. 165 of this Compilation.

permit the development of traditional trade flows between the ACP States and the Community and between the Member States;

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division among Member States;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the share allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 1980 to 30 June 1981, rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States, shall be imported duty free into the Community within the limits of a Community tariff quota of 178 300 hectolitres of pure alcohol.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. The first instalment, of 123 330 hectolitres of pure alcohol, shall be for United Kingdom consumption. The second instalment, of 54 970 hectolitres of pure alcohol, shall be allocated among the other Member States.

2. The shares of each of the Member States to which the second instalment is allocated pursuant to paragraph 1 shall consist of the following quantities:

	(hectolitres of pure alcohol)
Benelux	7 631
Denmark	2 443
Germany	35 714
France	5 438
Ireland	3 209
Italy	535

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.
2. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the products in question, originating in the ACP States, entered at customs in declarations for free circulation.

Article 4

1. Member States shall inform the Commission each month of imports actually charged against the tariff quota.
2. The United Kingdom shall take the steps necessary to ensure that the quantities imported from the ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.
3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.
4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

Council Regulation (EEC) No 1470/80 of 9 June 1980 on the safeguard measures provided for in the second ACP-EEC Convention ⁽¹⁾ shall apply in respect of the products covered by this Regulation.

Article 7

This Regulation shall enter into force on 1 July 1980.

⁽¹⁾ OJ No L 147, 13. 6. 1980, p. 4.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 June 1980.

For the Council

The President

A. SARTI

COMMISSION REGULATION (EEC) No 485/80
of 28 February 1980

amending Regulation (EEC) No 571/78 in respect of the issue of import licences for products of the beef and veal sector originating in the African, Caribbean and Pacific States or in the overseas countries and territories (*)
(OJ L 56/80)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 2916/79⁽²⁾, and in particular Articles 15 (2) and 25 thereof,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽³⁾, and in particular Article 23 thereof,

Whereas detailed rules should be laid down for the issue of import licences for products of the beef and veal sector to which the arrangements introduced by Regulation (EEC) No 435/80 apply;

Whereas it is accordingly necessary to amend Commission Regulation (EEC) No 571/78⁽⁴⁾, as last amended by Regulation (EEC) No 301/80⁽⁵⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Article 7 of Regulation (EEC) No 571/78 is hereby amended to read as follows:

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 28 February 1980.

Article 7

1. An application for an import licence in respect of products to be imported duty free pursuant to Article 2 of Regulation (EEC) No 435/80 and qualifying, as appropriate, either for a partial reduction of import duties other than customs duties in accordance with Article 4 of the said Regulation, or free of levies in accordance with Article 21 of the said Regulation, and the licence itself, shall contain:

(a) in section 12, one of the following endorsements:

- "ACP-OCT product (Regulation (EEC) No 435/80)", (**)
- "AVS/OLT-varer (forordning (EØF) nr. 435/80)", (**)
- "AKP-ULG-Erzeugnis (Verordnung (EWG) Nr. 435/80)", (**)
- "Produit ACP/PTOM (règlement (CEE) n° 435/80)", (**)
- "Prodotto ACP/PTOM (regolamento (CEE) n. 435/80)", (**)
- "ACS-LGO-produkt (Verordening (EEG) nr. 435/80)", (**)

(b) in section 14, the name of the State, country or territory in which the product originated.

2. Every import licence so endorsed shall carry with it an obligation to import under Regulation (EEC) No 435/80 from the State, country or territory entered thereon.

Article 2

This Regulation shall enter into force on 1 March 1980.

For the Commission
Finn GUNDELACH
Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 329, 24. 12. 1979, p. 15.

⁽³⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽⁴⁾ OJ No L 78, 22. 3. 1978, p. 10.

⁽⁵⁾ OJ No L 32, 9. 2. 1980, p. 31.

(*) see also pp. 171, 174, 175 and 176 of this Compilation.

(**) see Corrigendum which appeared in OJ No L 65, 11.3.1980, p. 30.

.../...

COMMISSION REGULATION (EEC) No 486/80
of 28 February 1980

laying down detailed rules for the application in the beef and veal sector of Regulation (EEC) No 435/80 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (*)

(OJ L 56/80)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
435/80 of 18 February 1980 on the arrangements
applicable to agricultural products and certain goods
resulting from the processing of agricultural products
originating in the African, Caribbean and Pacific
States or in the overseas countries and territories⁽¹⁾,
and in particular Article 23 thereof,

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy⁽²⁾, as last amended by Regulation (EEC)
No 2543/73⁽³⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 4 of Regulation (EEC) No 435/80
lays down that the duties on imports of beef and veal
originating in the African, Caribbean and Pacific
States are to be reduced, provided that a tax of a corres-
ponding amount was levied when the goods were
exported from the country of origin;

Whereas the amount of the import duties depends
upon the level of the levy applicable, and that levy
may be adjusted by monetary compensatory amounts;
whereas, having regard to the monetary trends in the
individual Member States, the amount of the reduction
should be calculated separately for each Member
State on the basis of the monetary compensatory
amount applicable to imports into the Member State
concerned;

Whereas the reduction consists of levy and monetary
compensatory amount components; whereas, more-
over, the fixing of the reduction in ECU may create
problems, especially for the exporting country, as

regards the exchange rate to be used; whereas,
consequently, the amount of the reduction should be
fixed in national currency for each Member State of
destination;

Whereas it appears useful to outline the manner in
which the amount to be actually levied on imports is
calculated;

Whereas the amount by which the import duties are
reduced is fixed quarterly; whereas this amount may
vary during transport to the Community; whereas at
the time of export the exporting country, when calcu-
lating the export tax to be levied, can only base itself
on the reduction in force; whereas the export tax
must be compared to the reduction applicable at the
time of export;

Whereas the amount representing import duties is
that applicable on the day of acceptance of the entry
of the goods for home use; whereas these duties are
reduced by the reduction applicable on that date;

Whereas proof that the export tax provided for in
Regulation (EEC) No 435/80 has been collected may
be furnished by entering the relevant amount on the
EUR 1 certificate for the movement of goods referred
to in Article 6 of Protocol 1 to the ACP-EEC Con-
vention of Lomé signed on 28 February 1975⁽⁴⁾;

Whereas detailed rules for the application of the
system of import licences for beef and veal products
are laid down in Commission Regulation (EEC) No
193/75⁽⁵⁾, as last amended by Regulation (EEC) No
2971/79⁽⁶⁾, and in Commission Regulation (EEC) No
571/78⁽⁷⁾, as last amended by Regulation (EEC) No
485/80⁽⁸⁾; whereas, however, it is appropriate to pre-
scribe special rules for licences granted under the
present Regulation;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Manage-
ment Committee for Beef and Veal,

(1) OJ No L 55, 28. 2. 1980, p. 4.

(2) OJ No 106, 30. 10. 1962, p. 2553/62.

(3) OJ No L 263, 19. 9. 1973, p. 1.

(*) see pp. 123 and 160, and pp. 170, 174, 175 and 176 of this
Compilation.

(4) OJ No L 25, 30. 1. 1976, p. 1.

(5) OJ No L 25, 31. 1. 1975, p. 10.

(6) OJ No L 336, 29. 12. 1979, p. 34.

(7) OJ No L 78, 22. 3. 1978, p. 10.

(8) See page 21 of this Official Journal.

HAS ADOPTED THIS REGULATION:

Article 1

1. Import licences shall be issued for beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland under the conditions laid down in this Regulation and within the limits of the quantities, expressed in tonnes of boned meat, fixed in Regulation (EEC) No 435/80.

2. For the purposes of this Regulation, 100 kilograms of boned meat shall be equivalent to 130 kilograms of unboned meat.

Article 2

1. Applications for import licences may be submitted only during the first 10 days of each month.

2. On the working day following the last working day of the period for the submission of applications, Member States shall inform the Commission by telex, in respect of each of the non-member countries concerned, of the total quantity covered by the applications referred to in paragraph 1.

3. The Commission shall decide in respect of each non-member country concerned to what extent applications can be accepted. If the quantities of products originating in a non-member country in respect of which licences are applied for exceed the quantity available from that non-member country, the Commission shall fix a single percentage for the reduction of the quantities applied for.

4. If the total quantity covered by applications relating to a non-member country is lower than that available from that non-member country, the Commission shall determine the amount of the balance remaining.

5. Licences shall be issued on the 21st day of each month. If that is not a working day in the Member State in which the applications were submitted, licences shall be issued on the first working day thereafter.

6. Import licences shall be valid for 90 days from the day of issue as specified in paragraph 5.

7. The application for a licence and the licence itself shall be drawn up in accordance with Article 7 of Regulation (EEC) No 571/78.

8. Subject to the provisions of Article 18 of Regulation (EEC) No 193/75, the security shall be released immediately in respect of any quantity for which no import licence has been issued.

Article 3

Importation under the arrangements for import duty reductions may take place only if the origin of the

products concerned is certified by the competent authorities of the exporting countries in accordance with the rules of origin applicable to the products in question pursuant to Protocol 1 to the Convention of Lomé of 28 February 1975.

Article 4

1. The amount provided for in Article 4(1) of Regulation (EEC) No 435/80 for each product intended for importation into a Member State shall be equal to 90 % of the amount of the levy, adjusted as appropriate by the monetary compensatory amount valid for imports into that Member State during the week preceding that in which the quarter for which the reduction is calculated begins.

The reduction shall be fixed for each Member State in its national currency.

2. The reduction shall be deducted from the levy valid on the day on which the customs import formalities are completed in the Member State concerned, adjusted as appropriate by the monetary coefficient shown in Annex II to the relevant Commission Regulation fixing the monetary compensatory amounts and by the monetary compensatory amount valid in the Member State concerned on the same date.

Article 5

1. The import duties shall be reduced by the amount fixed in accordance with Article 4 only if:

(a) an export tax at least equal to that amount has been levied;

(b) the EUR 1 certificate for the movement of goods referred to in Article 6 of Protocol 1 to the Convention of Lomé of 28 February 1975 indicates:

— in box 7, the amount of the export tax levied per 100 kilograms,

— in box 8, the Common Customs Tariff subheading for the products in question.

A separate certificate shall be drawn up for each subheading of the Common Customs Tariff.

2. At the time of the completion of customs import formalities for the release of the goods for free circulation, the amount of the export tax levied per 100 kilograms shall be compared with the amount, fixed in accordance with Article 4 in respect of the importing Member State, which was applicable at the time when the EUR 1 certificate for the movement of goods was issued.

If the amount of the export tax levied is expressed in a currency other than that of the importing Member State, the exchange rate used shall be the most recent selling rate recorded on the most representative exchange market or markets of that Member State.

The export tax levied shall be considered as corresponding to the amount fixed in accordance with Article 4 when the comparison shows that the export tax expressed in the currency of the importing Member State is not lower than the said amount.

3. The amount by which the import duties shall be reduced shall be that applicable on the date on which the entry of the goods for release for free circulation is accepted.

4. The application of this Regulation may in no case result in the granting of an amount.

Article 6

In respect of quantities imported pursuant to Article 2 (4) of Regulation (EEC) No 193/75, the levies fixed in accordance with Articles 10 to 13 of Regulation (EEC) No 805/68 shall be charged in full.

Article 7

Regulation (EEC) No 3006/78 (1) is hereby repealed.

Article 8

This Regulation shall enter into force on 1 March 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 28 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 357, 21. 12. 1978, p. 44.

COMMISSION DECISION

of 7 March 1980

suspending the option provided for by Decision 78/642/EEC of authorizing imports of fresh meat from the Republic of Botswana (*)

(80/354/EEC)
(OJ L 79/80)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ⁽¹⁾, as last amended by Directive 77/98/EEC ⁽²⁾, and in particular Article 15 thereof.

Whereas Council Decision 78/642/EEC ⁽³⁾, as last amended by Commission Decision 80/2/EEC ⁽⁴⁾, granted the Member States the option of authorizing imports into their territory, under certain conditions and from certain regions, of fresh meat from the Republic of Botswana, taking into account in particular the existing health situation in that country and the measures taken by that country's authorities to combat foot-and-mouth disease and to avoid its spreading into other unaffected regions;

Whereas information received from the authorities of the Republic of Botswana suggests that a new outbreak of foot-and-mouth disease has occurred in a region which was hitherto unaffected and which was intended to serve as a buffer zone to protect the regions authorized for the export of fresh meat to the Community; whereas this accordingly means that there is a serious danger that the disease will spread into the regions authorized for the export of fresh meat to the Community;

Whereas, until such time in particular as the results of the surveys required to ensure that the disease is not

present in the regions which were authorized for export are available, it is necessary to suspend imports of fresh meat from the entire territory of the Republic of Botswana in order to avoid any risk of introducing this disease into the Community;

Whereas the suspension of imports from the Republic of Botswana will be reviewed in accordance with the changing situation in respect of the disease;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The option provided for in Decision 78/642/EEC of authorizing imports of fresh meat from certain districts of the Republic of Botswana is hereby provisionally suspended.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 302, 31.12.1972, p. 28

(2) OJ No L 26, 31.1.1977, p. 81

(3) OJ No L 213, 3.8.1978, p. 15

(4) OJ No L 5, 9.1.1980, p. 7

(*) These imports were resumed on 1.6.1981 (see Commission Decision 81/442/EEC in ACP Compilation Vol. IV).
See also pp. 170, 171, 175 and 176 of this Compilation.

.../...

COMMISSION REGULATION (EEC) No 1382/80

of 5 June 1980

derogating from Regulation (EEC) No 486/80 as regards the calculation of the amount of the reduction of import duties for beef and veal products from the African, Caribbean and Pacific States for the period beginning 2 June 1980 (*)
(OJ L 140/80)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community,

Having regard to Council Regulation (EEC) No 435/80
of 18 February 1980 on the arrangements applicable
to agricultural products and certain goods resulting
from the processing of agricultural products originating
in the African, Caribbean and Pacific States or in
the overseas countries and territories ⁽¹⁾, and in
particular Article 23 thereof,

Whereas Article 4(1) of Commission Regulation (EEC)
No 486/80 ⁽²⁾ stipulates that the amount of the
reduction of the import duties referred to in
Article 4(1) of Regulation (EEC) No 435/80 shall be
calculated taking into account the levies and the
monetary compensatory amounts that are valid during
the week preceding that in which the quarter for which
the amount of the reduction is calculated commences;

Whereas it is appropriate to derogate from the rules
concerning the quarterly fixing and the reference period
for the calculation of that amount, especially when the
transition from one marketing year to the next makes it
necessary; whereas it is important to take into account
the levies and monetary compensatory amounts
calculated on the basis of the new price;

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 5 June 1980.

Whereas the beginning of the 1980/81 marketing year
has been fixed for 2 June 1980 by Council Regulation
(EEC) No 1031/80 ⁽³⁾;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Manage-
ment Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 4 (1) of Regulation
(EEC) No 486/80, the amount of the reduction of
import duties for beef and veal products originating
in the African, Caribbean and Pacific States, as referred
to in Article 4 (1) of Regulation (EEC) No 435/80,
shall be fixed for the period beginning 2 June 1980
and calculated on the basis of the levies and monetary
compensatory amounts applicable from that date.

Article 2

This Regulation shall enter into force on the day of its
publication in the *Official Journal of the European
Communities*.

It shall apply as from 2 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 55, 28.2.1980, p. 4

⁽²⁾ OJ No L 56, 29.2.1980, p. 22

⁽³⁾ OJ No L 110, 29.4.1980, p. 2

(*) See also pp. 170, 171, 174 and 176 of this Compilation.

COMMISSION REGULATION (EEC) No 2377/80

of 4 September 1980

on special detailed rules for the application of the system of import and export
licences in the beef and veal sector (*)
(OJ L 241/80)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
805/68 of 27 June 1968 on the common organization
of the market in beef and veal (*), as last amended by
Regulation (EEC) No 2916/79 (2), and in particular
Articles 13 (4) (b), 14 (4), 15 (2), 16 (4), 18 (6) and 25
thereof,

Having regard to Council Regulation (EEC) No
2957/79 of 20 December 1979 opening a Community
tariff quota for fresh, chilled or frozen high-quality
beef and veal falling within subheadings 02.01 A II a)
and 02.01 A II b) of the Common Customs Tariff (3),
and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No
435/80 of 18 February 1980 on the arrangements
applicable to agricultural products and certain goods
resulting from the processing of agricultural products
originating in the African, Caribbean and Pacific
States or in the overseas countries and territories (4),
and in particular Article 23 thereof,

Whereas special detailed rules for the application of
the system of import and export licences in the beef
and veal sector need to be adopted; whereas these
rules either supplement or derogate from the provisions
of Commission Regulation (EEC) No 193/75 of
17 January 1975 laying down common detailed rules
for the application of the system of import and export
licences and advance fixing certificates for agricultural
products (5), as last amended by Regulation (EEC) No
1576/80 (6);

Whereas, under the first subparagraph of Article 15 (1)
of Regulation (EEC) No 805/68, products subject to
levies may not be imported into the Community
except on presentation of an import licence; whereas
experience has shown the need to monitor the foreseeable
trend of trade in all products in the beef and veal

sector that are of special importance to the balance of
this particularly sensitive market; whereas, therefore,
with a view to the more efficient management of the
market, import licences should also be required for
products falling within subheading 16.02 B III b) 1
bb) of the Common Customs Tariff, and export
licences should be required for all products for which
import licences are required, and also for pure-bred
bovine breeding animals falling within subheading
01.02 A I of the Common Customs Tariff;

Whereas the general arrangements for duty-free import-
ation of products of the beef and veal sector origi-
nating in and coming from the African, Caribbean
and Pacific States or overseas countries and territories
are laid down in Regulation (EEC) No 435/80;
whereas duty-free importation of certain of these
products is subject to annual quotas; whereas to
enable the quantities imported under these arrange-
ments to be monitored, provision should be made for
a special entry on the import licence in respect of the
nature and origin of the products in question;

Whereas the application of special import arrange-
ments for young male bovine animals for fattening
and for frozen beef for processing requires strict
surveillance of imports and effective checks as to their
use and destination; whereas, when young male
bovine animals are imported for fattening, the risk of
deflection from such use or destination can be
reduced if the import licence in such cases is made
personal to applicants who are agricultural producers
or their professional organizations;

Whereas it is necessary to incorporate in this Regula-
tion provisions relative to special export arrangements
provided for by Commission Regulation (EEC) No
2973/79 (7);

Whereas Member States shall periodically communi-
cate to the Commission certain information
concerning the import and export licences they issue
in the beef and veal sector; whereas this task could be
simplified if the nature and content of such returns
should be precisely laid down and codes used;

(1) OJ No L 148, 28. 6. 1968, p. 24.

(2) OJ No L 329, 24. 12. 1979, p. 15.

(3) OJ No L 336, 29. 12. 1979, p. 5.

(4) OJ No L 55, 28. 2. 1980, p. 4.

(5) OJ No L 25, 31. 1. 1975, p. 10.

(6) OJ No L 161, 26. 6. 1980, p. 15.

(7) OJ No L 336, 29. 12. 1979, p. 44.

(*) See also pp. 170, 171, 174 and 175 of this Compilation.

Whereas this Regulation incorporates provisions in Commission Regulations (EEC) No 2973/79 and (EEC) No 486/80⁽¹⁾; whereas these provisions should be repealed;

Whereas Commission Regulation (EEC) No 571/78⁽²⁾, as last amended by Regulation (EEC) No 485/80⁽³⁾, has often been amended; whereas, therefore, in the interests of clarity and administrative efficiency it is advisable to consolidate the rules in question in a single text;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

TITLE I

General provisions

Article 1

This Regulation lays down special detailed rules for the application of the system of import and export licences in the beef and veal sector.

Article 2

1. A licence shall be required for the import into the Community and export therefrom of any of the products referred to in Article 1 (1) (a) of Regulation (EEC) No 805/68 and of any products falling within subheading 16.02 B III b) 1 bb) of the Common Customs Tariff.

2. A licence shall be required for the export from the Community of products falling within subheading 01.02 A I of the Common Customs Tariff.

TITLE II

Licences

Article 3

The following licences shall be applicable to beef and veal:

- (a) import licences with advance fixing of the levy or export licences with advance fixing of the refund as referred to in Article 15 of Regulation (EEC) No 805/68;
- (b) licences confirming entitlement to any of the special import or export arrangements introduced by Community legislation, as referred to in Title IV;

- (c) other import or export licences as referred to in Regulation (EEC) No 805/68.

Article 4

Import licences shall be valid for the following periods:

- (a) import licences with advance fixing of the levy:
 - (i) for 30 days from their day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75 for products falling within subheading 02.01 A II a) of the Common Customs Tariff, originating in and coming from Argentina or Uruguay,
 - (ii) for 60 days from that date for products falling within subheading 02.01 A II b) of the Common Customs Tariff, originating in and coming from Argentina, Australia, New Zealand or Uruguay,
 - (iii) for 45 days from that date for products falling within subheading 02.01 A II b) of the Common Customs Tariff, originating in and coming from Romania;
- (b) import licences referred to in Article 3 (b) for 90 days from their actual day of issue;
- (c) other import licences for 90 days from their day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75.

Article 5

Export licences shall be valid for the following periods:

- (a) export licences referred to in Article 3 (b) for 90 days from their actual day of issue but not beyond 31 December of the year of issue;
- (b) other export licences for 90 days from their day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75.

Article 6

1. The amount of security in respect of import licences with advance fixing of the levy shall be 10 ECU per 100 kilograms net.

2. The amount of security in respect of other import licences shall be:

- (a) 3 ECU per head for live animals;
- (b) 2 ECU per 100 kilograms net for other products.

3. The amount of security in respect of export licences referred to in Article 3 (b) and export licences with advance fixing of the refund shall be:

- (a) 15 ECU per head for live animals;
- (b) 10 ECU per 100 kilograms net for other products.

⁽¹⁾ OJ No L 56, 28. 2. 1980, p. 22.

⁽²⁾ OJ No L 78, 22. 3. 1978, p. 10.

⁽³⁾ OJ No L 56, 28. 2. 1980, p. 21.

4. The amount of security in respect of other export licences shall be:

- (a) 3 ECU per head for live animals;
- (b) 2 ECU per 100 kilograms net for other products.

5. Where quantities applied for under special import or export arrangements are reduced, the security shall be released forthwith for any quantity for which the application is not granted.

6. Without prejudice to the conditions laid down in Article 17 (2) (b) of Regulation (EEC) No 193/75, the security given in respect of licences conferring entitlement to the special export arrangements referred to in Article 14 shall be released only on presentation of proof — as specified in Article 18 (5) of Regulation (EEC) No 193/75 — that the product has reached its destination.

TITLE III

Endorsements

Article 7

1. Where an application is made for an import licence with advance fixing of the levy, Sections 13 and 14 of the licence application and of the licence itself shall contain one of the following endorsements:

- (a) 'ARGENTINA' or 'URUGUAY', for products referred to in Article 4 (a) (i);
- (b) 'ARGENTINA' or 'AUSTRALIA' or 'NEW ZEALAND' or 'URUGUAY', for products referred to in Article 4 (a) (ii);
- (c) 'ROMANIA' for products referred to in Article 4 (a) (iii).

2. The licence shall carry with it an obligation to import from the country in question.

Article 8

1. When advance fixing of the refund for certain or all destinations is possible only in respect of part of the products falling within a subheading of the Common Customs Tariff, Section 12 of the licence application and of the licence itself shall give the description of the products eligible for advance fixing of the refund, and the subheading of the Common Customs Tariff entered in Section 8 shall be preceded by the expression 'ex'.

2. The licence shall be valid only for the products thus described.

3. Where the description of products according to the nomenclature used for refunds relates to products

covered by two subheadings of the Common Customs Tariff, the licence shall be issued for both the subheadings concerned.

TITLE IV

Licences under special arrangements

Article 9

1. In order to qualify for the special import arrangements referred to in Article 13 of Regulation (EEC) No 805/68:

- (a) the applicant shall be a natural or legal person who has been engaged professionally in the livestock and meat sector for at least 12 months prior to submitting the licence application;
- (b) the licence application shall relate to a quantity equal to or exceeding 50 animals;
- (c) the licence application and the licence shall relate to:

- either young male bovine animals of a weight per head not exceeding 300 kilograms, or
- young male bovine animals of a weight per head of from 220 to 300 kilograms, originating in and coming from Yugoslavia.

In the latter case Sections 13 and 14 of the licence application and of the licence itself shall include the following entry:

'YUGOSLAVIA'

The licence shall carry with it an obligation to import from that country:

- (d) when lodging an application for a licence the applicant shall undertake in writing to carry out himself, or to have carried out under his responsibility, in the Member State where the application is lodged and where the animals will be put into free circulation, the fattening referred to in Article 13 of Regulation (EEC) No 805/68. For the purposes of this requirement, Section 12 of the licence application and of the licence itself shall contain one of the following endorsements:

- 'Licence valid in ...' (issuing Member State),
- 'Licens gyldig i ...',
- 'Lizenz gültig in ...',
- 'Certificat valable en ...',
- 'Titolo valido in ...',
- 'Certificat geldig in ...'.

- (e) Section 12 of the licence application and of the licence itself shall also contain one of the following endorsements:

.../...

'Young male bovine animals intended for fattening',

'Ungtyre bestemt til opfødning',

'Männliche zum Masten bestimmte Jungrinder',

'Jeunes bovins mâles destinés à l'engraissement',

'Giovani bovini maschi destinati all'ingrasso',

'Jonge mannelijke runderen bestemd voor de mesterij',

This endorsement shall be followed by :

— either one of the following endorsements :

'weight per head not exceeding 300 kg',

'højeste vægt pr. dyr 300 kg',

'Stückgewicht höchstens 300 kg',

'poids par tête, jusqu'à 300 kg',

'peso per capo, fino a 300 kg',

'gewicht per dier, ten hoogste 300 kg';

— or, where a rate of suspension of the levy is laid down separately for each category of animal specified in Article 13 (4) of Regulation (EEC) No 805/68, one of the following endorsements as appropriate :

'weight per head less than 80 kg' or 'weight per head 80 to less than 220 kg' or 'weight per head 220 to 300 kg',

'vægt pr. dyr under 80 kg' eller 'vægt pr. dyr fra 80 til under 220 kg' eller 'vægt pr. dyr 220 til 300 kg',

'Stückgewicht weniger als 80 kg' or 'Stückgewicht 80 bis weniger als 220 kg' or 'Stückgewicht 220 bis 300 kg',

'poids par tête inférieur à 80 kg' or 'poids par tête de 80 à moins de 220 kg' or 'poids par tête de 220 à 300 kg',

'peso per capo inferiore a 80 kg' or 'peso per capo da 80 a meno di 220 kg' or 'peso per capo da 220 a 300 kg',

'gewicht per dier minder dan 80 kg' or 'gewicht per dier 80 tot minder dan 220 kg' or 'gewicht per dier 220 tot en met 300 kg'.

The licence shall apply only to the product thus described ;

(f) Section 20 of the licence shall contain one of the following endorsements :

'Levy reduced by ... %. Licence valid in respect of ... (quantity in figures and words) animals',

'Nedsættelse af importafgiften med ... %. Licens gyldig for ... dyr',

'Verminderung der Abschöpfung um ... v. H. Lizenz gültig für ... Tiere',

'Prélèvement réduit de ... %. Certificat valable pour ... animaux',

'Prelievo ridotto del ... %. Titolo valido per ... animali',

'Heffing verminderd met ... %. Certificaat geldig voor ... dieren'.

The percentage reduction in the levy to be shown in the endorsement shall be that valid for the quarter in which the application for a licence is lodged :

— either for young male bovine animals of a weight per head of from 220 to 300 kilograms being imported from Yugoslavia, or

— for other young male bovine animals being imported under the special import arrangements.

2. By way of derogation from Article 3 of Regulation (EEC) No 193/75, the rights arising from the import licences referred to in paragraph 1 applied for by and issued to agricultural producers or their professional organizations shall not be transferable.

Article 10

1. In order to qualify for the special import arrangements referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68 :

(a) the applicant shall be a natural or legal person who has been engaged, in the manufacture of the preserved foods referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68 for at least 12 months prior to submitting the special licence application, and who is officially registered in a Member State ;

(b) the licence application or applications lodged by any one applicant shall relate to a total quantity corresponding to not less than five tonnes of bone-in meat and not more than 10 % of the quantity fixed pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68 in respect of the arrangements in question for the quarter during which the application or applications are lodged ; 100 kilograms of bone-in meat correspond to 77 kilograms of boned meat ;

(c) when lodging an application for a licence the applicant shall undertake in writing to carry out himself, in the Member State where the application is lodged and where the goods will be put into free circulation, in the establishment designated in his application the manufacture of the preserved foods referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68. For the purposes of this requirement, Section 12 of the licence application and of the licence itself shall contain one of the following endorsements :

'Licence valid in ...' (issuing Member State),

'Licens gyldig i ...',

'Lizenz gültig in ...',

'Certificat valable en ...',

'Titolo valido in ...',

'Certificaat geldig in ...' ;

- (d) Section 12 of the licence application and of the licence itself shall also contain one of the following endorsements:

'Meat intended for the manufacture of preserved food — system (a) — at ... (exact designation of the establishment where manufacture is to take place)',

'Kød bestemt til fremstilling af konserver — ordning (a) — i ...',

'Fleisch zur Herstellung von Konserven bestimmt — Regelung (a) — bei ...',

'Viandes destinées à la fabrication de conserves — régime (a) — auprès de ...',

'Carni destinate alla fabbricazione di conserve — regime (a) — presso ...',

'Vlees bestemd voor de vervaardiging van conserven — regeling (a) — door ...',

- (e) Section 20 of the licence shall contain one of the following endorsements:

'Levy suspended. Licence valid for ... (quantity in figures and words) kg',

'Importafgift suspenderet. Licens gyldig for ... kg',

'Aussetzung der Abschöpfung. Lizenz gültig für ... kg',

'Prélèvement suspendu. Certificat valable pour ... kg',

'Prelievo sospeso. Titolo valido per ... kg',

'Heffing geschorst. Certificaat geldig voor ... kg'.

2. Where the applicant has lodged several licence applications, and where the suspension of the levy is authorized only in respect of a part of the quantities applied for, he may, at the latest two working days prior to the actual issue of the licences, request that the quantities qualifying for the suspension of the levy be allocated to one or more of the licences applied for, provided that the quantity on each licence does not exceed that originally applied for.

Article 11

1. In order to qualify for the special import arrangement referred to in Article 14 (1) (b) of Regulation (EEC) No 805/68:

- (a) the applicant shall be a natural or legal person who has been engaged in the manufacture of the products referred to in Article 14 (1) (b) of Regulation (EEC) No 805/68 for at least 12 months prior to submitting the special licence application, and who is officially registered in a Member State;
- (b) the licence application or applications lodged by any one applicant shall relate to a total quantity corresponding to not less than five tonnes of bone-in meat and not more than 10 % of the

quantity fixed pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68 in respect of the arrangements in question for the quarter during which the application or applications are lodged; 100 kilograms of bone-in meat corresponds to 77 kilograms of boned meat;

- (c) when lodging an application for a licence the applicant shall undertake in writing to carry out himself, in the Member State where the application is lodged and where the goods will be put into free circulation, in the establishment designated in his application the processing of the products referred to in Article 14 (1) (b) of Regulation (EEC) No 805/68. For the purposes of this requirement Section 12 of the licence application and of the licence itself shall contain one of the following endorsements:

'Licence valid in ... (issuing Member State),

'Licens gyldig i ...',

'Lizenz gültig in ...',

'Certificat valable en ...',

'Titolo valido in ...',

'Certificaat geldig in ...'.

- (d) Section 12 of the licence application and of the licence itself shall also contain one of the following endorsements:

'Meat intended for processing — system (b) — at ... (exact designation of the establishment where the processing is to take place)',

'Kød bestemt til forarbejdning — ordning (b) — i ...',

'Zur Verarbeitung bestimmtes Fleisch — Regelung (b) — bei ...',

'Viandes destinées à la transformation — régime (b) — auprès de ...',

'Carni destinate alla trasformazione — regime (b) — presso ...',

'Vlees bestemd voor verwerking — regeling (b) — door ...'.

- (e) Section 20 of the licence shall contain one of the following endorsements:

'Levy reduced by ... %. Licence valid for ... (quantity in figures and words) kg',

'Nedsættelse af importafgiften med ... %. Licens gyldig for ... kg',

'Verminderung der Abschöpfung um ... v. H. Lizenz gültig für ... kg',

'Prélèvement réduit de ... %. Certificat valable pour ... kg',

'Prelievo ridotto del ... %. Titolo valido per ... kg',

'Heffing verminderd met ... %. Certificaat geldig voor ... kg'.

The percentage reduction in the levy shall be that valid for the quarter in which the licence application is lodged.

2. Where the applicant has lodged several licence applications, and where the suspension of the levy is authorized only in respect of a part of the quantities applied for, he may, at the latest two working days prior to the actual issue of the licences, request that the quantities qualifying for the suspension of the levy be transferred to one or more of the licences applied for, provided that the quantity on each licence does not exceed that originally applied for.

Article 12

1. In order to qualify for the special import arrangements referred to in Article 1 (1) (d) of Regulation (EEC) No 2972/79 (1):

(a) the licence application or applications lodged by any one applicant shall relate to a total quantity corresponding to not less than five tonnes of meat by product weight and not more than 10 % of the quantity fixed pursuant to Article 7 of Regulation (EEC) No 2972/79 in respect of the arrangements in question for the quarter during which the application or applications are lodged.

(b) Section 12 of the licence application and of the licence itself shall contain one of the following endorsements:

'High-quality beef/veal (Regulation (EEC) No 2972/79)',

'Oksekød af høj kvalitet (forordning (EØF) nr. 2972/79)',

'Qualitätsrindfleisch (Verordnung (EWG) Nr. 2972/79)',

'Viande bovine de haute qualité (règlement (CEE) n° 2972/79)',

'Carni bovine di alta qualità (regolamento (CEE) n. 2972/79)',

'Kwaliteitsrundvlees (Verordening (EEG) nr. 2972/79)'.

2. For the purposes of these special arrangements, where the quantities imported come within the terms of Article 2 (4) of Regulation (EEC) No 193/75, the levy fixed in accordance with Article 12 of Regulation (EEC) No 805/68 shall be charged on the quantities exceeding those indicated in the import licence.

For the purposes of the above subparagraph, Section 20 of the licence shall contain one of the following endorsements:

(1) OJ No L 336, 29. 12. 1979, p. 37.

'Levy suspended. Licence valid for ... (quantity in figures and words) kg',

'Importafgift suspenderet. Licens gyldig for ... kg',

'Aussetzung der Abschöpfung. Lizenz gültig für ... kg',

'Prélèvement suspendu. Certificat valable pour ... kg',

'Prelievo sospeso. Titolo valido per ... kg',

'Heffing geschorst. Certificat geldig voor ... kg'.

Article 13

1. Applications for import licences for products to be imported duty free pursuant to Article 2 of Regulation (EEC) No 435/80 and qualifying, as appropriate, for either a reduction of import duties other than customs duties in accordance with Article 4 of the said Regulation or exemption from levies in accordance with Article 21 of the said Regulation and the licences themselves shall contain:

(a) in Section 12, one of the following endorsements:

'ACP/OCT product (Regulation (EEC) No 435/80)',

'AVS/OLT-varer (forordning (EØF) nr. 435/80)',

'AKP/ULG-Erzeugnis (Verordnung (EWG) Nr. 435/80)',

'Produit ACP/PTOM (règlement (CEE) n° 435/80)',

'Prodotto ACP/PTOM (regolamento (CEE) n. 435/80)',

'ACS/LGO-product (Verordening (EEG) nr. 435/80)'.

(b) in Section 14, the name of the State, country or territory in which the product is to originate.

2. The licence shall carry with it an obligation to import from the State, country or territory in question.

3. For the purposes of these special arrangements where the quantities imported come within the terms of Article 2 (4) of Regulation (EEC) No 193/75, the levy fixed in accordance with Article 12 of Regulation (EEC) No 805/68 shall be charged on the quantities exceeding those indicated in the import licence.

Article 14

1. Applications for export licences for the products referred to in Article 1 of Regulation (EEC) No 2973/79 may be lodged only in a Member State where the health requirements of the importing country can be met.

2. Section 13 of the licence application and of the licence itself shall contain the endorsement 'USA'. The licence shall carry with it the obligation to export from the Member State of issue to that country.

3. Notwithstanding Article 2 (4) of Regulation (EEC) No 193/75, the exported quantities shall not exceed the quantities indicated in the licence.

4. Section 18 of the licence shall contain one of the following endorsements:

'Fresh, chilled or frozen beef — Agreement between the EEC and the USA. Valid only in ... (Member State of issue). Quantity to be exported may not exceed ... (quantity in figures and words) kg';

'Fersk, kolet eller frosset oksekød — Aftale mellem EØF og USA. Kun gyldig i ... Mængden, der skal udfores, må ikke overstige ... kg'.

Article 15

1. Applications for licences under special arrangements may be lodged only as follows:

- (a) applications under Articles 9 to 12 during the first 10 days of each quarter. When the total quantity for which applications have been lodged during this period is less than the quantity laid down for the quarter in question, it may be decided that further applications may be lodged during one or more periods within that quarter. In that case new dates shall be fixed for the communication referred to in paragraph 4 (a) and for the issue of licences referred to in paragraph 5 (a);
- (b) applications under Article 13, during the first 10 days of each month;
- (c) applications under Article 14 may be lodged at any time.

2. Applications for licences under special arrangements shall be considered only if:

- (a) the special arrangements indicated therein are applicable on the day designated for the actual issue of the licences, and
- (b) in the case of special arrangements under Articles 9 to 12 the applicant declares in writing that in respect of the current quarter he has not lodged and will not lodge any application under the same special arrangements in any Member State other than that where his present application is lodged; if an applicant lodges applications in respect of the same special arrangements in two or more Member States, no such application shall be considered.

3. For each set of the special arrangements referred to in Articles 10 to 12 all applications from any one applicant shall be regarded as a single application. In the case of applications under the special arrangements referred to in Article 9, all applications from one applicant which relate to the same category of weight and the same rate of reduction of the levy shall be regarded as a single application.

4. Member States shall communicate to the Commission information about the applications lodged as follows:

- (a) in respect of applications lodged under Article 9, on the 18th day of each quarter the quantities for which licences have been requested, and on the 20th day a list of applicants, in the applications lodged during the period referred to in paragraph 1 (a), giving separate details on the applications made in respect of each of the categories referred to in Article 9 (1) (c), where appropriate, the categories of liveweight;
- (b) in respect of applications lodged under Articles 10 to 12, on the 18th day of each quarter, a list of applicants and the quantities for which licences have been requested during the period referred to in paragraph 1 (a), specifying the import arrangements concerned;
- (c) in respect of applications lodged under Article 13, on the second working day following the last day of the period for the submission of applications the total quantity for which applications referred to in paragraph 1 (b) have been lodged for each of the third countries concerned;
- (d) in respect of applications lodged under Article 14, on the third working day of each month, a list of applicants and the quantities of products for which applications referred to in paragraph 1 (c) have been lodged during the previous month.

All communications, including nil returns, shall be made by telex and shall be sent before 4 p.m. on the stipulated working day.

5. Licences under special arrangements shall, subject to the Commission having decided that applications be accepted, be issued as follows:

- (a) licences under Articles 9 to 12 on the 30th day of each quarter;
- (b) licences under Article 13, on the 21st day of each month;
- (c) licences under Article 14, on the 15th day of each month.

.../...

6. (a) The quantities applied for under Articles 9 to 12 may be reduced by a fixed percentage:

(b) (i) The Commission shall decide in respect of each third country concerned to what extent applications under Article 13 can be accepted. If the quantities of products originating in a third country in respect of which licences are requested exceed the quantity available for that country, the Commission shall reduce the quantities requested by a fixed percentage.

(ii) If the total quantity requested by applications relating to a third country is lower than that available for that country, the Commission shall determine the amount of the balance remaining.

(c) The Commission will decide to what extent applications under Article 14 will be accepted. If the quantities for which licences are requested exceed the quantities available, the Commission shall reduce the amounts requested by a fixed percentage.

TITLE V

Returns

Article 16

Before the fifth day of each month the Member States shall communicate to the Commission by telex, in accordance with Annex I and using the codes indicated, the quantity of products for which import or export licences were issued during the previous calendar month. Additional information may be asked for by the Commission.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 September 1980.

TITLE VI

Final provisions

Article 17

1. Regulation (EEC) No 571/78 is hereby repealed.

2. In all Community instruments in which reference is made to Regulation (EEC) No 571/78 or to Articles of that Regulation, such references shall be treated as references to this Regulation or to the corresponding Articles thereof. A table of equivalence in respect of those Articles is given in Annex II.

Article 18

1. Articles 2 and 7 of Regulation (EEC) No 2973/79 are hereby repealed.

2. Articles 2 and 6 of Regulation (EEC) No 486/80 are hereby repealed.

Article 19

This Regulation shall enter into force on 1 October 1980.

It shall be applicable to all licences applied for from 1 October 1980. Regulation (EEC) No 571/78 shall remain applicable to licences applied for before 1 October 1980.

The export of products falling within subheading 01.02 A 1 of the Common Customs Tariff covered by a certificate of advance fixing of the refund applied for before 1 October 1980 shall not be subject to the presentation of an export licence.

For the Commission

Finn GUNDELACH

Vice-President

.../...

ANNEX I

LICENCE RETURNS

(Where a code is indicated it should be used)

SECTION 1: IMPORT LICENCES

Member State:

Application of Article 16 of Regulation (EEC) No 2377/80

Quantities of products for which import licences have been issued

From:

To:

1. ACP/OCT products

(Under Regulation (EEC) No 435/80 ⁽¹⁾)

(expressed in tonnes of boned meat)

CCT heading No		From			
		Madagascar	Botswana	Swaziland	Kenya
	Code	370	391	393	346
02.01 A II a)	110				
02.01 A II b)	120				

2. With advance fixing of the levy

(Referred to in Article 16 (2) of Regulation (EEC) No 805/68 ⁽¹⁾)

(tonnes)

CCT heading No		From				
		Argentina	Uruguay	Australia	New Zealand	Romania
	Code	528	524	800	804	066
02.01 A II a)	210					
02.01 A II b)	220					

3. Other

(Under

(a) *GATT* quota for frozen beef and veal falling within subheading 02.01 A II b) of the Common Customs Tariff.

(b) *Young bovine animals* for fattening referred to in Article 13 of Regulation (EEC) No 805/68.

(c) *Article 14 (1) (a)* of Regulation (EEC) No 805/68 being beef imports intended for the manufacture of preserves.

(d) *Article 14 (1) (b)* of Regulation (EEC) No 805/68 being beef imports intended for the manufacture of other products.

(e) *USA beef* referred to in Article 1 (1) (d) of Regulation (EEC) No 2972/79.

(f) *Other licences* not covered by paragraphs 1 and 2 or 3 (a) to (e) above ⁽¹⁾).

⁽¹⁾ Does not form part of the return.

CCT heading No	(tonnes)						
	Code	GATT 301	Young bovine 302	Article 14 (1) (a) 303	Article 14 (1) (b) 304	US beef 305	Others 306
01.02 A II (heads)	310	—	—	—	—	—	—
02.01 A II a) 1	311						
A II a) 2	312						
A II a) 3	313		—				
A II a) 4 aa)	314						
A II a) 4 bb)	315						
02.01 A II b) 1	316						
A II b) 2	317						
A II b) 3	318		—				
A II b) 4 aa)	319						
A II b) 4 bb)	320						
02.06 C I a) 1	321		—				
C I a) 2	322						
16.02 B III b) 1 aa)	323		—				
b) 1 bb)	324						

SECTION II: EXPORT LICENCES

Member State :

Application of Article 16 of Regulation (EEC) No 2377/80

Quantities of products for which export licences have been issued

From :

To :

1. With advance fixing of the refund

(Referred to in Article 18 (4) of Regulation (EEC) No 805/68; excluding licences referred to in Article 2 of Regulation (EEC) No 2973/79 (1))

CCT heading No	Code	Destination
		(2)
01.02 A II (heads)	410	
02.01 A II a) 1	411	
A II a) 2	412	
A II a) 3	413	
A II a) 4 aa)	414	
A II a) 4 bb)	415	
02.01 A II b) 1	416	
A II b) 2	417	
A II b) 3	418	
A II b) 4 aa)	419	
A II b) 4 bb)	420	
02.06 C I a) 1	421	
C I a) 2	422	
16.02 B II (b) I aa)	423	
b) I bb)	424	

2. Special exports to the USA

(Referred to in Article 2 of Regulation (EEC) No 2973/79 (1))

CCT heading No	Code	With advance fixed refunds			Without advance fixed refunds		
		500			502		
02.01 A II a) 1	510						
A II a) 2	512						
A II a) 3	513						
A II a) 4 aa)	514						
A II a) 4 bb)	515						
02.01 A II b) 1	516						
A II b) 2	517						
A II b) 3	518						
A II b) 4 aa)	519						
A II b) 4 bb)	520						

3. Other

(Not covered by paragraphs 1 and 2 above ⁽¹⁾)

		(tonnes)
CCT heading No		Destination
	Code	(⁽²⁾)
01.02 A II (heads)	610	
02.01 A II a) 1	611	
A II a) 2	612	
A II a) 3	613	
A II a) 4 aa)	614	
A II a) 4 bb)	615	
02.01 A II b) 1	616	
A II b) 2	617	
A II b) 3	618	
A II b) 4 aa)	619	
A II b) 4 bb)	620	
02.06 C I a) 1	621	
C I a) 2	622	
16.02 B III b) 1 aa)	623	
b) 1 bb)	624	

⁽¹⁾ Does not form part of the return.

⁽²⁾ Destination code as in the Annex to Regulation (EEC) No 2566/79 (OJ No L 294, 21. 11. 1979, p. 5) except that where no code equivalent for the destination is indicated the destination should be shown uncodcd.

.../...

ANNEX II

TABLE OF EQUIVALENCE

This Regulation	Regulation (EEC) No 571/78	Regulation (EEC) No 2973/79	Regulation (EEC) No 486/80
Article 1	—	—	—
Article 2 (1)	Article 1	—	—
Article 2 (2)	—	—	—
Article 3	—	—	—
Article 4 (a)	Article 2 (2)	—	Article 2 (6)
Article 4 (b)	Article 2 (1) (b)	—	—
Article 4 (c)	Article 2 (1) (a)	—	—
Article 5 (a)	—	Article 2 (6)	—
Article 5 (b)	Article 3 (1)	—	—
Article 6 (1)	Article 4 (2)	—	—
Article 6 (2)	Article 4 (1)	—	—
Article 6 (3)	Article 4 (4) and (5)	Article 7 (1)	—
Article 6 (4)	Article 4 (3)	—	—
Article 6 (5)	Article 11 (6)	Article 2 (7)	Article 2 (8)
Article 6 (6)	—	Article 7 (2)	—
Article 7	Article 6	—	—
Article 8 (1)	Article 5 (2)	—	—
	first subparagraph	—	—
Article 8 (2)	Article 5 (2)	—	—
	second subparagraph	—	—
Article 8 (3)	Article 5 (3)	—	—
Article 9 (1) (a)	Article 11 (1) (b)	—	—
	first indent	—	—
	and (1) (d)	—	—
Article 9 (1) (b)	Article 8 (a)	—	—
Article 9 (1) (c)	—	—	—
Article 9 (1) (d)	Article 11 (9) (a)	—	—
	and (10)	—	—
Article 9 (1) (e)	Article 8 (b)	—	—
Article 9 (1) (f)	Article 8 (c)	—	—
Article 9 (2)	Article 11 (8)	—	—
Article 10 (1) (a)	Article 11 (1) (b)	—	—
	second indent	—	—
	and (1) (d)	—	—
Article 10 (1) (b)	Article 9 (1) (a)	—	—
Article 10 (1) (c)	Article 11 (9) (b)	—	—
	and (10)	—	—
Article 10 (1) (d)	Article 9 (1) (b)	—	—
Article 10 (1) (e)	Article 9 (1) (c)	—	—
Article 10 (2)	Article 9 (2)	—	—
Article 11 (1) (a)	Article 11 (1) (b)	—	—
	second indent	—	—
	and (1) (d)	—	—
Article 11 (1) (b)	Article 10 (1) (a)	—	—
Article 11 (1) (c)	Article 11 (9) (b)	—	—
	and (10)	—	—
Article 11 (1) (d)	Article 10 (1) (b)	—	—
Article 11 (1) (e)	Article 10 (1) (c)	—	—
Article 11 (2)	Article 10 (2)	—	—
Article 12	Article 10 (a)	—	—
Article 13 (1) and (2)	Article 7	—	Article 6
Article 13 (3)	—	Article 2 (1)	—
Article 14 (1)	—	Article 2 (2)	—
Article 14 (2)	—	Article 2 (8)	—
Article 14 (3)	—	Article 2 (9)	—
Article 14 (4)	—	—	—
Article 15 (1) (a)	Article 11 (1) first sentence and (7)	—	Article 2 (1)
Article 15 (1) (b)	—	—	—
Article 15 (1) (c)	—	—	—
Article 15 (2) (a)	Article 11 (1) (a)	—	—

.../...

Article 15 (2) (b)	Article 11 (1) (c)	—	—
Article 15 (3)	Article 11 (5)	—	—
Article 15 (4) (a)	Article 11 (2)	—	—
Article 15 (4) (b)	Article 11 (2)	—	Article 2 (2)
Article 15 (4) (c)	—	Article 2 (3)	—
Article 15 (4) (d)	Article 11 (3)	—	Article 2 (5)
Article 15 (5) (a)	—	Article 2 (5)	—
Article 15 (5) (b)	—	—	—
Article 15 (5) (c)	Article 11 (4)	—	Article 2 (3)
Article 15 (6) (a)	—	—	Article 2 (4)
Article 15 (6) (b) (i)	—	—	—
Article 15 (6) (b) (ii)	—	Article 2 (4)	—
Article 15 (6) (c)	Article 13	—	—
Article 16 (1)			

COUNCIL REGULATION (EEC) No 551/80

of 3 March 1980

derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies) (*)

(OJ L 61/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Decision No 1/80 of the ACP-EEC Council of Ministers on transitional measures to be applied from 1 March 1980, the provisions on commercial cooperation contained in Title I of and in Protocol 1 to the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter referred to as the 1975 Lomé Convention, continue to apply after that date until the entry into force of the new provisions relating to the same sectors and up to 31 December 1980 at the latest;

Whereas, when adopting the said Decision, the Community made a statement to the effect that after expiry of the 1975 Lomé Convention certain provisions of the second ACP-EEC Convention, signed at Lomé on 31 October 1979, hereinafter referred to as the 1979 Lomé Convention, could be implemented in advance and by means of autonomous decisions;

Whereas Article 30 of Protocol 1 to the 1979 Lomé Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, makes provision for derogations from the rules of origin in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request for a derogation from the definition set out in Protocol 1 to the 1975 Lomé Convention for items of fishing tackle manufactured in Malawi and Kenya;

Whereas the possibilities offered by the cumulation system on origin do not provide a solution to the origin problem for items of fishing tackle manufactured in Malawi and Kenya;

Whereas it is necessary to provide a derogation for the period between 1 March and 31 December 1980;

Whereas any possible deflection of trade should be avoided; whereas this can be achieved by fixing a maximum percentage of non-originating products incorporated in the finished product,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Protocol 1 to the 1975 Lomé Convention, items of fishing tackle manufactured in Malawi or Kenya and falling within heading No ex 97.07 'fishing flies' of the Common Customs Tariff, shall be considered as originating in Malawi or Kenya provided that the value of non-originating fish-hooks used for their manufacture, falling within heading No ex 97.07 of the Common Customs Tariff, does not exceed 25 % of the value of the finished product.

Article 2

The competent authorities of the Republic of Malawi and the Republic of Kenya shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR. 1 have been issued pursuant to this Regulation, indicating the Member States of destination.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 March 1980 until the entry into force of the 1979 Lomé Convention, but in any case not after 31 December 1980.

(*) enacted pursuant to Decision 1/80 of the ACP-EEC Council of Ministers see pp.115-117 of this Compilation). See also p. 194.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 March 1980.

For the Council

The President

G. MARCORA

COUNCIL REGULATION (EEC) No 552/80

of 3 March 1980

derogating from the concept of 'originating products' to take into account the special situation of Mauritius with regard to its production of canned tuna (*)

(OJ L 61/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, under Decision No 1/80 of the ACP-EEC Council of Ministers on the transitional measures to be applied from 1 March 1980, the trade cooperation provisions of the ACP-EEC Convention of Lomé, signed on 28 February 1975, hereinafter referred to as the 1975 Lomé Convention, contained in Title I and in Protocol I remain applicable beyond that date until the entry into force of new provisions in the same area or until 31 December 1980 at the latest;

Whereas, when adopting the said Decision, the Community made a statement to the effect that after the expiry of the 1975 Lomé Convention certain provisions of the second ACP-EEC Convention, signed at Lomé on 31 October 1979, hereinafter referred to as the 1979 Lomé Convention, could be implemented in advance and by means of autonomous decisions;

Whereas Article 30 of Protocol I to the 1979 Lomé Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation states that derogations from the rules of origin may be made in order, in particular, to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Mauritian Government for a derogation from the definition set out in Protocol I to the 1975 Lomé Convention in respect of canned tuna produced by Mauritius;

Whereas, in order to catch fish for its canneries, Mauritius has decided to set up its own fleet of vessels, so that the finished products may acquire the label of originating products;

Whereas this fleet will become operational only in about six months;

Whereas the derogation from the concept of originating products should not exceed six months;

Whereas, in these circumstances, a temporary derogation may be made from the definition of the concept of originating products;

Whereas, as a result of unforeseeable circumstances, canned tuna exports from Mauritius were halted for the period 25 November 1979 to 29 February 1980,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from the special provisions of List A of Annex II to Protocol I to the 1975 Lomé Convention, canned tuna manufactured in Mauritius and falling within heading No ex 16.04 of the Common Customs Tariff shall be considered as originating in Mauritius, subject to the following conditions.

Article 2

The derogation referred to in Article 1 shall relate to 800 tonnes of canned tuna falling within heading No ex 16.04 of the Common Customs Tariff and exported from Mauritius between 1 March and 31 August 1980.

Article 3

The competent authorities of Mauritius shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 2 and shall forward to the Commission a statement of the quantities in respect of which movement certificates EUR. 1 have been issued pursuant to this Regulation.

Article 4

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 March to 31 August 1980.

(*) enacted pursuant to Decision 1/80 of the ACP-EEC Council of Ministers see pp. 115-117 of this Compilation.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 March 1980.

For the Council

The President

G. MARCORA

COUNCIL REGULATION (EEC) No 1640/80

of 24 June 1980

concerning the application of Decision No 3/80 of the ACP-EEC Council of Ministers derogating from the concept of originating products to take account of the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies) (*)

(OJ L 163/80)

HAS ADOPTED THIS REGULATION:

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé⁽¹⁾, signed on 28 February 1975, adopted, pursuant to Article 9 (2) of the said Convention, Decision No 3/80 derogating from the concept of originating products to take account of the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies);

Whereas it is necessary, in accordance with Article 74 (3) of the said Convention, to take such measures as are required to implement that Decision,

Article 1

Decision No 3/80 of the ACP-EEC Council of Ministers, which is annexed to this Regulation, shall apply in the Community.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall be applicable from 1 January until 29 February 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 24 June 1980.

For the Council

The President

S. FORMICA

(*) This Regulation was necessary to bridge the legal hiatus between the previous Regulation (215/79 for Kenya, 216/79 for Malawi) of 5.2.1979 in force until 31.12.1979 (see Comp. Vol. IV) and Regulation 551/80 on page 190 of this Compilation.

IV. COMMUNITY ACTS RELATING TO IMPLEMENTATION
OF THE LOME CONVENTION

C. STABEX

.../...

COUNCIL REGULATION (EEC) No 1638/80

of 24 June 1980

on the system for guaranteeing the stabilization of earnings from certain commodities exported by the ACP States and the overseas countries and territories associated with the Community (*)
(OJ L 163/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 213 thereof,

Having regard to the recommendation from the Commission,

Whereas Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 stipulates that the provisions concerning the system for the stabilization of export earnings contained in Title II, Chapter 1 of the ACP-EEC Convention of Lomé signed on 28 February 1975 shall remain applicable after 1 March 1980 or until 31 December 1980, whichever is the earlier;

Whereas Decision 80/162/EEC (1) maintains in force after 1 March 1980 or until 31 December 1980, whichever is the earlier, the provisions applicable under Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community (2);

Whereas Article 25 of the second ACP-EEC Convention signed in Lomé on 31 October 1979 establishes a list of products covered by the system for the stabilization of export earnings provided for in Title II, Chapter 1 thereof;

Whereas it is necessary to adapt accordingly the notification system provided for in Regulation (EEC) No 2478/77 (3) so as to allow the Commission to obtain the necessary data as from 1 January 1980 with a view to the implementation of this stabilization system; whereas the said Regulation should be repealed to that end;

Whereas this stabilization system should be extended to cover the overseas countries and territories associated with the European Economic Community,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 February 1980, Member States shall forward to the Commission before the end of each month a statement of all the products listed in Annex I imported during the previous month:

- from the ACP States listed in Annex II,
- from the countries and territories listed in Annex III.

Article 2

The statement referred to in Article 1 shall give details of all products:

- which are put into free circulation in the Member State concerned,
- which are brought under the inward processing arrangements in that State for subsequent re-exportation in the form of compensating products.

Article 3

The statement referred to in Article 1 shall show the country of origin of the products, according to the common geographical code in force, the quantities imported and the cif values of these imports in the national currencies of the Member States or in European units of account.

Article 4

Regulation (EEC) No 2478/77 is hereby repealed.

Article 5

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 24 June 1980.

For the Council
The President
S. FORMICA

(1) OJ No L 35, 12. 2. 1980, p. 26.

(2) OJ No L 176, 1. 7. 1976, p. 8.

(3) OJ No L 287, 11. 11. 1977, p. 1.

(*) For Stabex, see also pp. 21 and 25 of this Compilation.

ANNEX I

Products referred to in Article 1

	NIMEXE code
1. Groundnuts, shelled or not	12.01-31 to 12.01-35
2. Groundnut oil	15.07-74 and 15.07-87
3. Cocoa beans	18.01-00
4. Cocoa paste	18.03-10 to 18.03-30
5. Cocoa butter	18.04-00
6. Raw or roasted coffee	09.01-11 to 09.01-17
7. Extracts, essences or concentrates of coffee	21.02-11 to 21.02-15
8. Cotton, not carded or combed	55.01-10 to 55.01-90
9. Cotton linters	55.02-10 to 55.02-90
10. Coconut	08.01-71 to 08.01-75
11. Copra	12.01-42
12. Coconut oil	15.07-29, 15.07-77 and 15.07-92
13. Palm oil	15.07-19, 15.07-61 and 15.07-63
14. Palm nut and kernel oil	15.07-31, 15.07-78 and 15.07-93
15. Palm nuts and kernels	12.01-44
16. Raw hides and skins	41.01-11 to 41.01-95
17. Bovine cattle leather	41.02-05 to 41.02-98
18. Sheep and lamb skin leather	41.03-10 to 41.03-99
19. Goat and kid skin leather	41.04-10 to 41.04-99
20. Wood in the rough	44.03-20 to 44.03-99
21. Wood roughly squared or half-squared, but not further manufactured	44.04-20 to 44.04-98
22. Wood sawn lengthwise, but not further prepared	44.05-10 to 44.05-79
23. Fresh bananas	08.01-31
24. Tea	09.02-10 to 09.02-90
25. Raw sisal	57.04-10
26. Vanilla	09.05-00
27. Cloves — whole fruit, cloves and stems	09.07-00
28. Sheep's or lambs' wool, not carded or combed	53.01-10 to 53.01-40
29. Fine animal hair of Angora goats — mohair	53.02-95
30. Gum arabic	13.02-91
31. Pyrethrum — flowers, leaves, stems, peel and roots; saps and extracts from pyrethrum	12.07-10 and 13.03-15
32. Essential oils, not terpeneless, of cloves, of niaouli and of ylang-ylang	33.01-23
33. Sesame seed	12.01-68
34. Cashew nuts and kernels	08.01-77
35. Pepper	09.04-11 and 09.04-70
36. Shrimps and prawns	03.03-43
37. Squid	03.03-68
38. Cotton seeds	ex 12.01-98
39. Oil-cake	23.04-01 to 23.04-99
40. Rubber	40.01-20 to 40.01-60
41. Peas	07.01-41 to 07.01-43, 07.05-11, 07.05-19 and 07.05-61
42. Beans	07.01-45 to 07.01-47, 07.05-25 and 07.05-65
43. Lentils	07.05-30 and 07.05-70
44. Iron ore (ores, concentrates, and roasted iron pyrites)	26.01-12 to 26.01-18

.../...

ANNEX II

ACP States referred to in Article 1

1. *African States*

Mauritania, Mali, Upper Volta, Niger, Senegal, Ivory Coast, Togo, Benin, Cameroon, Chad, Central Africa, Gabon, Congo, Rwanda, Burundi, Somalia, Zaire, Kenya, Uganda, Tanzania, Botswana, Lesotho, Swaziland, Gambia, Ghana, Malawi, Nigeria, Sierra Leone, Zambia, Ethiopia, Guinea, Equatorial Guinea, Guinea Bissau, Liberia, Sudan, Cape Verde, Sao Tome and Principe, Jibuti.

2. *Caribbean States*

Barbados, Guyana, Jamaica, Bahamas, Grenada, Trinidad and Tobago, Surinam, Dominica, St Lucia, St Vincent.

3. *Pacific States*

Fiji, Western Samoa, Tonga, Papua New Guinea, Tuvalu, Kiribati, Solomon Islands.

4. *Indian Ocean States*

Madagascar, Mauritius, the Comoros, Seychelles.

ANNEX III

Countries and territories referred to in Article 1

1. *Overseas countries of the Kingdom of the Netherlands*
 - Netherlands Antilles (Aruba, Bonaire, Curaçao, St Martin, Saba, St Eustatius).
 2. *Overseas territories of the French Republic*
 - New Caledonia and dependencies,
 - Wallis and Futuna Islands,
 - French Polynesia,
 - French Southern and Antarctic Territories.
 3. *Territorial collectivity of the French Republic*
 - Mayotte.
 4. *Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland*
 - Belize,
 - Associated States in the Caribbean (Anguilla, Antigua, St Kitts-Nevis),
 - Cayman Islands,
 - Falkland Islands and dependencies,
 - Turks and Caicos Islands,
 - British Virgin Islands,
 - Monserrat,
 - Pitcairn,
 - St Helena and dependencies,
 - British Antarctic territory,
 - British Indian Ocean territory.
 5. *Country having special relations with the United Kingdom of Great Britain and Northern Ireland*
 - Brunei.
 6. *Anglo-French Condominium of the New Hebrides*
-

IV. COMMUNITY ACTS RELATING TO IMPLEMENTATION OF THE
LOME CONVENTION

D. SUGAR

.../...

COUNCIL REGULATION (EEC) No 3185/80

of 4 December 1980

on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1980/81 (*)

(OJ L 332/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé⁽¹⁾, and the Agreement between the European Economic Community and the Republic of India on cane sugar⁽²⁾, are implemented in the context of the management of the common organization of the sugar market;

Whereas it is appropriate to approve the Agreements in the form of exchanges of letters between the European Economic Community and the States referred to in Protocol 3 on ACP sugar, the Republic of Surinam and the Republic of India, on the guaranteed prices for cane sugar for 1980/81,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of exchange of letters between the European Economic Community and

Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the guaranteed prices for cane sugar for 1980/81, and the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of India on the guaranteed prices for cane sugar for 1980/81, are hereby approved on behalf of the Community.

The texts of these Agreements are annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreements referred to in Article 1 in order to bind the Community.

Article 3

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 December 1980.

For the Council

The President

J. BARTHEL

⁽¹⁾ OJ No L 25, 30. 1. 1976, p. 1.

⁽²⁾ OJ No L 190, 23. 7. 1975, p. 36.

(*) See Agreement, p. 45 of this Compilation.

IV. COMMUNITY ACTS RELATING TO IMPLEMENTATION OF THE
LOME CONVENTION

E. FINANCIAL AND TECHNICAL CO-OPERATION

.../...

COUNCIL DECISION

of 5 February 1980

adjusting the amounts made available to the European Development Fund (1975) for the ACP States and for the French overseas countries and territories and the French overseas departments (*)

(80/160/EEC)
(OJ L 35/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽¹⁾, signed at Brussels on 11 July 1975, hereinafter referred to as 'the Internal Agreement', as amended by the Agreement of 28 March 1977⁽²⁾, and in particular Article 1 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Saint Lucia and the Republic of Kiribati, former overseas countries and territories associated with the Community under Decision 76/568/EEC⁽³⁾, have become independent and have applied to accede to the ACP-EEC Convention of Lomé pursuant to Article 89 thereof; whereas the ACP-EEC Council of Ministers has approved these requests; whereas these States deposited their instruments of accession with the General Secretariat of the Council of the European Communities on 28 June and 30 October 1979 respectively, thereby acceding to the Convention on those dates;

Whereas, therefore, in accordance with Article 1 (4) of the Internal Agreement, the amount provided for the overseas countries and territories and the French overseas departments in Article 1 (3a) (b) should be reduced and those provided for the ACP States in (a) of that paragraph correspondingly increased;

Whereas this adjustment must also be made on the basis of the amounts made available to the European Development Fund following the accession of former associated overseas countries and territories⁽⁴⁾ to the ACP-EEC Convention of Lomé,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1 (3a) and (3b) of the Internal Agreement shall be replaced by the following:

⁽¹⁾ OJ No L 25, 30. 1. 1976, p. 168.

⁽²⁾ OJ No L 287, 13. 10. 1978, p. 22.

⁽³⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽⁴⁾ OJ No L 72, 23. 3. 1979, p. 31.

(*) See also p. 147 of this Compilation, and pp. 83 and 84 (instruments of accession) and 89 and 91 of the ACP Compilation, Vol. IV (provisional application of the OCT Decision after independence).

'3a. From 30 October 1979, the amount of 3 159.50 million EUA referred to in paragraph 2a, shall be allocated as follows:

(a) 3 074.4355 million EUA for the ACP States, consisting of:

— 3 000 million EUA from the amount initially provided for in paragraph 3 (a) for the original ACP States,

— 9.50 million EUA from the amount provided for in paragraph 2a,

— 13 million EUA from the amount stated in Article 30 (4) (a), first indent, as introduced by Decision 77/155/EEC adjusting Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community⁽¹⁾,

— 51.9355 million EUA from the amount transferred from the appropriation for the OCT to that for the ACP under Decisions 77/156/EEC⁽²⁾, 78/464/EEC⁽³⁾ and 79/309/EEC⁽⁴⁾, adjusting the amounts made available to the European Development Fund (1975) for the ACP States on the one hand and for the overseas countries and territories and the French overseas departments on the other, following the accession of the Republic of Surinam, the Republic of Seychelles, the Comoro State, the Republic of Jibuti, the Solomon Islands, Tuvalu, Dominica, Saint Lucia and the Republic of Kiribati to the Convention;

(b) 850.645 million EUA for the overseas countries and territories and the French overseas departments from the amounts originally laid down in paragraph 3 (b) and (c), taking into account the reduction made under the Decisions referred to in the fourth indent of (a).

.../...

3b (a) The amount stated in paragraph 3a (a) for the ACP States shall be allocated as follows:

- 2 149-8505 million EUA in the form of grants,
- 445-585 million EUA in the form of special loans,
- 99-000 million EUA in the form of risk capital,
- 380-000 million EUA in the form of transfers pursuant to Title II of the Convention.

(b) The amount stated in paragraph 3a (b) for the overseas countries and territories and the French overseas departments shall be allocated as follows:

- 28-1375 million EUA in the form of grants,
- 23-915 million EUA in the form of special loans,
- 2-000 million EUA in the form of risk capital,

— 11-0120 million EUA in the form of a reserve,

— 20-000 million EUA in the form of transfers for the countries and territories, pursuant to those provisions concerning the system for stabilizing export earnings.

(1) OJ No L 46, 18. 2. 1977, p. 15.

(2) OJ No L 46, 18. 2. 1977, p. 17.

(3) OJ No L 147, 3. 6. 1978, p. 37.

(4) OJ No L 72, 23. 3. 1979, p. 31.

Article 2

This Decision shall apply from 1 November 1979.

Done at Brussels, 5 February 1980.

For the Council

The President

G. ZAMBERLETTI

COUNCIL

COUNCIL DECISION

of 18 December 1980

on the replacement of the European unit of account by the ECU to express the amounts of financial assistance under the Second ACP-EEC Convention and the previous conventions

(80/1184/EEC)

(OJ No L 349/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Internal Agreement on the financing and administration of Community aid, signed in Brussels on 20 November 1979, and in particular Article 3 (2) thereof,

Having regard to the recommendation of the Commission,

Having regard to the report of the Monetary Committee,

Whereas, pursuant to Decision 75/250/EEC⁽¹⁾, the European unit of account (EUA) to be used for expressing the amounts of aid mentioned in Article 42 of the ACP-EEC Convention of Lomé signed on 28 February 1975 is defined by reference to the sum of specified amounts of currencies of the Member States of the Community;

Whereas Regulation (EEC) No 3180/78⁽²⁾ defined a new unit of account, known as the ECU;

Whereas the amounts mentioned in Article 95 of the Second ACP-EEC Convention signed at Lomé on 31 October 1979 and intended to cover all the financial

resources made available to the ACP States by the Community are expressed in EUA; whereas, according to a Community statement annexed to the Final Act of the aforesaid Convention, the EUA may be replaced by the ECU as defined in Regulation (EEC) No 3180/78;

Whereas steps should be taken to standardize the units of account used by the Community; whereas the EUA should, therefore be replaced by the ECU;

Whereas the composition of the ECU may be changed subsequently in the context of the European Monetary System,

HAS ADOPTED THIS DECISION:

Article 1

The amounts of financial assistance mentioned in Article 95 of the Second ACP-EEC Convention shall be expressed in ECU. The ECU shall be composed of the sum of specified amounts of the currencies of the Member States, as set out in Regulation (EEC) No 3180/78⁽²⁾.

⁽¹⁾ On the entry into force of this Decision, such amounts are as follows:

DM	0.828
£	0.0885
FF	1.15
Lir	109
Fl	0.286
Bfrs	3.66
Lfrs	0.14
Dkr	0.217
£ Ir	0.00759

⁽¹⁾ OJ No L 104, 24. 4. 1975, p. 35.

⁽²⁾ OJ No L 379, 30. 12. 1978, p. 1.

The ECU shall also apply to the operations initiated or to be initiated under the previous conventions.

Any change in the composition of the ECU decided upon pursuant to Article 2 of Regulation (EEC) No 3180/78 shall apply automatically to this provision.

Article 2

The value of the ECU in any given currency shall be equal to the sum of the equivalent in that currency of the amounts of currency constituting the ECU. It shall be calculated by the Commission using daily market exchange rates.

The daily values of the unit of account in the various national currencies shall be made available every day

and shall be published periodically in the *Official Journal of the European Communities*.

Article 3

This Decision shall apply from 1 January 1981.

Decision 75/250/EEC shall be repealed from 1 January 1981.

Done at Brussels, 18 December 1980.

For the Council

The President

C. NEY

ACP - EEC COUNCIL OF MINISTERS
BRUSSELS